FORUM

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HENRY GODDARD LEACH, *Editor*

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EDITORIAL FOREWORD

WRITING on "Success" in this issue of THE FORUM, Henry Ford remarks that "it behooves the man who wishes to have his part in the progress of this world to watch the signs of the times." The Wizard of Dearborn, now turned prophet and philosopher, is thinking of the industrial revolution which he helps to keep in such productive ferment; but his comment has a wider importance. Everywhere there are signs and portents of graver revolutions than that of the world on wheels. Ideas and opinions are both the signs and seeds of revolution.

THERE is many a leaven at work in the lump of society, and the discerning eye will mark the occasional sign of its ferment. Clarence Darrow's discussion of immortality in the present issue is more than a private opinion publicly expressed. It is both symptomatic of the times and revolutionary in intent and possibilities. It resolves long scepticism and loose thinking into a positive case, expressed in honesty and clarity. It is disturbing — not alone because it challenges old peace of mind, but because its philosophical and practical implications contemplate a new heaven and earth, a new direction for human hopes, and a new doctrine for human labors. If it is true that this life has no sequel, then our codes of conduct and morality, our education, our public and private conscience, our personal liability and responsibility must be reoriented and adjusted to fit the facts. If Mr. Darrow is wrong, we are at least warned to seek new wisdom to justify old convictions.

AS Mr. Ford says: "Most people will spend more time and energy in going around problems than in trying to solve them." Our modern passion for free speech and opinion is an antidote for this dangerous fashion of evasion. Men of ideas are frank and honest with them. There remain few forbidden lands, few sacred silences. The destiny of our times must be hammered out on the anvil of "No Compromise," for truth — no longer enshrined beyond the reach of doubt — must bear the burden and heat of the day. Mr. Darrow's article, Dr. Holmes' discussion of marriage, the current debate on the sanctity and efficacy of the jury system, are signs of the times. By such storm signals and auguries we reckon the purpose of the past and the reasonable expectations of the future. It is the privilege of THE FORUM to broadcast such new voices, so that no true prophet may lack a following and no false one a judgment.

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OCTOBER READING

DONALD F. ROSE

HORMONES AND HUMANITY

GOOD books are found under surprising guises. THE NEW CRIMINOLOGY, by Dr. Max G. Schlapp and Edward H. Smith (Boni & Liveright, $4.00), is far from being a mere handbook for jail wardens. It is one of those devastating books which either explode dangerously in the unready mind or instill there a wholesome ferment of uncertainty and unrest. It is thrilling reading, stimulating stuff, quite capable of wrecking the old raft of conviction and sending us all out to sea in a scientific sieve.

Some of its considerations include the biological sciences of heredity, eugenics, and evolution; matters of medical lore such as endocrinology and reconstructive surgery; matters of theology such as predestination, free will, and in fact, the whole of religious philosophy. It is a commentary on democracy and a criticism of our social order. It involves woman suffrage, the jury system, the education of children, the protection and preservation of society, and the whole doubtful question of our racial future.

It touches all these and many other fundamental matters because its main thesis is an attempt to replace the old keystone of life with a new one. This, indeed, is not a new notion, but it has rarely been so completely and courageously presented. Endocrinology is thrown as a bombshell into the midst of our customs and convictions. Endocrinology is the science of the ductless glands and their hormonic secretions, and what they can do to upset our peace of mind is plenty.

The first casualty is the time-honored and approved institution of human free will. "The activity of the cells in a man's arms which do his day's deeds and that of those other cells in his brain that think his night's thoughts are alike reactions of chemicals and no more." What a mess this makes of our old notions of personal responsibility, of the dignity of man and his destiny! How disquieting to novelists and their readers, who are convicted of wasting time over the clash and drama of human passions, over virtue and vice! How disturbing to the domestic sphere if we must learn now to spare the rod and spoil the child with a dose of thyroid extract!

Yet we may not dismiss the theory with mere ridicule. It grows daily in strength and far-reaching importance, and its arguments are formidable. Dr. Schlapp himself was a pioneer and master of the subject, though he has now gone into eternity to test the validity of some of his conclusions, and Mr. Smith adds to his doctrine the plausibility and punch of the trained journalist. Their coöperation makes the book a dangerous toy for the children of men to play with.

It is not for the layman to quarrel with

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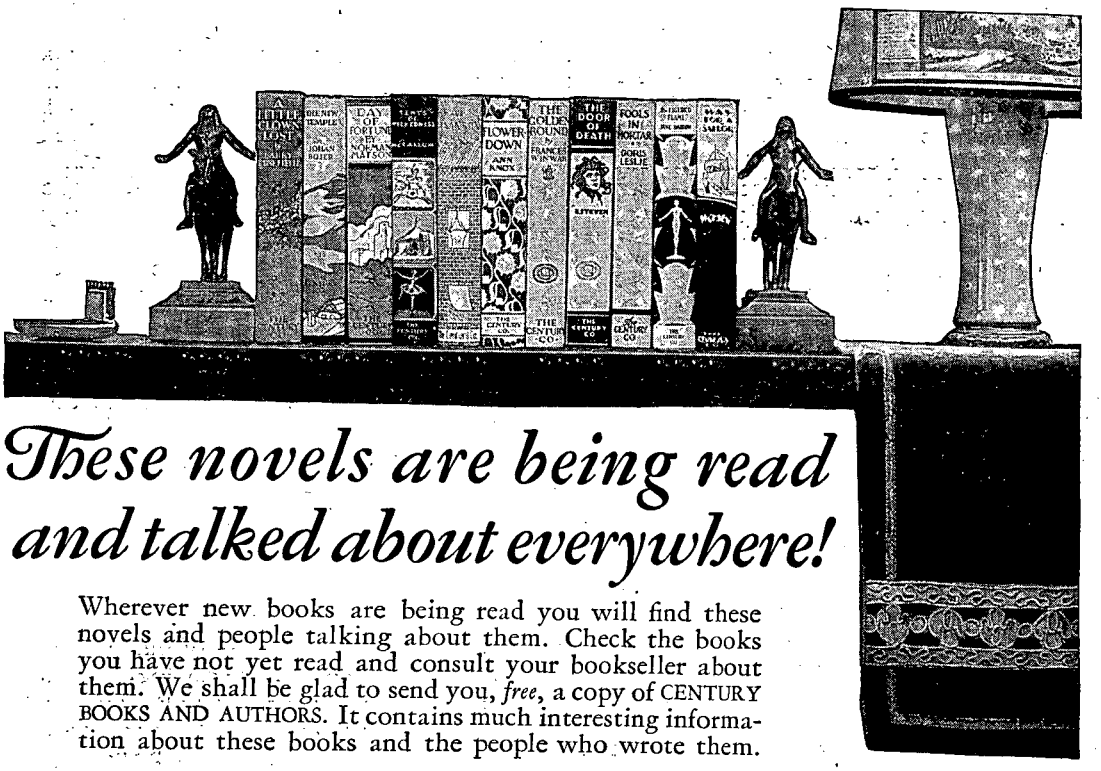

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the evidence of the expert, nor even with his conclusions. He may find some comfort in the fact that the united and formidable front of the experts is a sort of whistling to keep up their courage in the presence of considerable internal discord. For, says the book: "There are endless disputes and uncertainties and various experimenters have reported diametrically opposite results." These authors have small patience with behaviorism, psychoanalysis, and sundry other rivals in the patent medicine field: We may be reasonably assured, therefore, that nothing is as settled as it may be made to appear.

But there is another and more adequate way of viewing these theories. Science has insisted on the right and efficacy of doubt, and it is time to apply the same formula to its own findings. We may not properly doubt the evidence nor the appalling logic of the theories. We may, however, doubt whether reasoning purely *a posteriori* can be fully trusted or has real authority beyond the range of the facts with which it deals. The evidence of such weakness in the purely scientific method is revealed whenever such a book as this has courage and honesty enough to pursue a theory to its bitter end. The consequences are too appalling. They involve a contradiction of common sense which amounts to a *reductio ad absurdum*.

LITERARY LADIES

FIRST choice of current fiction is THE HAPPY MOUNTAIN by Maristan Chapman (Viking, $2.50) — not so much for its story, which is a small thing, as for the singularly charming manner of its telling. It deals with the mountain folk of Tennessee and particularly Wait-Still-on-the-Lord Lowe, who wanders away to see the world and later thinks better of it and comes back to home and sweetheart. It is the hill talk that translates this out of the ordinary, and it is woven not alone into dialogue but throughout the texture of the book. It is a rich brogue — easy, resonant, and colorful in comparison with the clipped custom of cities, but not unfamiliar to those who know the roots of English speech.

A novel of good sense and substance is WITH MALICE TOWARD NONE, by Honoré Willsie Morrow (Morrow, $2.50), another book to adorn and illuminate the memory of Lincoln. It seems that concerning a great man there is no end to the making of many books. But Mrs. Morrow has done a good and useful job, presenting Lincoln in the flesh with understanding, sympathy, and humor. In fact, so personable does the great president become that we may really read his face, whether lined with the anxieties of office or eased by the comforts of home and the company of his wife and young Tad. Over against him is set the figure of Senator Charles Sumner — personal friend, political rival, and gallant gentleman — and between them lies the drama of the story. Lincoln himself looms largest in the picture and it is the Lincoln of our younger faith and illusions. His wife rings not quite so true. She seems a fussy and somewhat irritating little person.

CULLUM, by E. Arnot Robertson (Holt, $2.50), begins in the spirit of social comedy, turns to romance, runs headlong into tragedy, and ends in melodrama. But despite this Protean performance, it is a good story, with a heroine who wins our high regard and sympathy. Cullum himself is a cad, but so singularly successful is his caddishness that he probably never realizes it, despite the wake of feminine devastation he leaves behind him. Perhaps he is laid on a bit too thick. There is something of barbaric injustice, even in fiction, in combining a fatal charm with complete indifference to its consequences, and we also suspect that lovely and sensible girls like the heroine would gain some guidance from instinct even though judgment failed them. But this is a matter concerning the nature of women, about which Miss Robertson should know more than a merely masculine reviewer.

Another lady novelist is not so well disposed toward her sex, but she is equally unsparing of the other. ALL KNEELING, by Anne Parrish (Harper's, $2.50), is a diverting comedy concerning a preposterous young woman at whose feet all men are fools. Apparently her life knows no man with sufficient abdominal investiture to take her firmly across his knee and spank her as she deserves. For one brief chapter we have hope. It seems that there is at last a man who will not come adoring. But he weakens, he wilts, he falls, and Christabel Caine hangs up another scalp.

You had best read this with your tongue in your cheek, which will save you

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from gnashing your teeth. Miss Parrish does not intend to be taken too seriously; she does intend and contrive that we shall be vastly entertained. But with part of her premise the reader may take issue. Christabel Caine writes novels and books of verse. She writes what may be politely termed as bilge, if the samples adduced are any criterion. Yet she has no trouble in getting them published. This is too much. Women may be designing females and men may be fools, but publishers are hard-boiled eggs, as plentiful experience will testify.

The ladies have done us the further favor of granting one book for our wholehearted and comprehensive dislike. RYDER, by Djuna Barnes (Horace Liveright, $3.00), comes with loud trumpetings as to its picaresque boldness, its style and beauty. Yet despite all such signposts and exhortations, it is practically indistinguishable from a piece of crass and tiresome vulgarity. It imitates without acknowledgment the matter and manner of *Jurgen*, but does it so wretchedly that Mr. Cabell should blush for his pupil — provided he has not already forsworn that social grace and accomplishment. It carries a protest against censorship and is peppered with asterisks — all of which assure the careful reader that he is missing nothing whatever. In lieu of style it looses a dictionary deluge, and its words cascade down the page like a bushel of small potatoes down the cellar stairs into a waiting ash can. If this be style, then a man may boast of marksmanship when he hits a barn door with a barrel-load of buckshot.

You may suspect from these remarks that we don't care for the book. We don't.

FRUSTRATED MALES

APRON STRINGS, by May Freud Dickenson (Macaulay, $2.00), introduces the slave of duty, a nice young man most unfortunate in his feminine associations, but with too much conscience or too little sense to kick over the traces. First he is victimized by his shiftless family, later by a flighty wife, and at last by ironic fate. This, you see, is a thoroughly immoral book. Virtue does not get rewarded but gets it heavily in the neck, and certainly the upstanding young hero arouses us more to sympathy than to emulation. There is, in fact, too much sympathy wasted in the book. The author is sorry for her hero, he is sorry for himself, and the reader is sorry for both of them. It is rather too bad that so much good writing should be bestowed on a young man who stood up so straight he leaned over backward. There are times and conditions when rebellion is the only intelligent and fundamentally decent course, and a novelist ought to know it.

The frustrated male is also the subject of HILLTOP IN THE RAIN, by James Saxon Childers (Appleton, $2.00). This deals with a young author entangled in pedagogy and thereby approximately ruined. He finds the teaching trade a treadmill, while the whip of necessity drives him to forget his first love for the false honors and faint satisfaction of academic dignities. He enjoys the glamour of the first year, the prestige of his little brief authority, the opportunity to turn intellectual handsprings before a crowded classroom. But the flavor does not last. He becomes so completely and abysmally bored with the immature minds and cold hash of the lecture room and faculty meeting that he suddenly walks out on them both. A fortunate legacy comes along and he takes refuge in it to write another book. The fact that he put it off so long does not promise much for his journalistic success.

The book quotes G. B. Shaw to the effect that "those who can, do; those who can't, teach." This is a hard saying, but one perilously close to truth. Too many men who have brains but no proper idea what to do with them become submerged in teaching. This does not hurt those who love teaching for its own sake and are indifferent to the shiny seat and frayed edges which are the accepted badges of pedagogy. They are heroes, to be sure, though they are not aware of it. But to the man with the power of harnessing the muscles of his mind to the genius of his spirit, teaching may turn out a tragic destiny.

Why do publishers permit their books to bear titles that have nothing to do with the case? *Hilltop in the Rain* might as well have been named *Cold Potato Salad* for any save box-office reasons. The same is true of SEVEN DAYS WHIPPING, by John Biggs (Scribner's, $2.00), which has nothing whatever to do with whipping nor

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with seven days of anything. Actually it is the story of thirty-six hours in the life of a learned and upright judge, sheltered from all unpleasantness by reputation, wisdom, and wealth, who discovers that he bears in his bosom a coward, a murderer, and a primitive savage. Under the strain of unfamiliar necessities he sheds his civilization and finds that he has lost neither the desire nor the capacity to kill for no better reason than blind hatred and disgust.

OLD BLOOD AND THUNDER

A LITTLE history, a lot of legend, and a generous flavoring of imagination have gone into the making of ALEXANDER, by Konrad Bercovici (Cosmopolitan, $2.50). It is difficult to make distinctions between them, nor does it greatly matter, since there is no intention here of making a critical analysis of the Macedonian world's champion nor of fitting him into any historical pattern. It aims rather to dramatize him, and since the spotlight and centre stage followed Alexander in all his wanderings across a continent, there is no lack of glamour and excitement.

These are made not alone of colorful pageantry and the grim clash of arms. There is also plenty of grime and crime, of debauchery and treachery, of all ancient sins and horrors. The story does not increase the stature of Alexander. The genius that gave him victory is lost in the vices that brought him failure and death. He becomes an unpleasant brute, with a whip hand over tangled ambitions whose jealousies were their weakness and his own chief strength. When he went down at last — not in a drunken debauch, as we were told in school, but painfully poisoned by one of his wives — his kingdom fell in fragments, his army vanished, and none were the gainers save the Jewish merchants who trod his highways.

Some plan is given to the book by the story of the scheming jealousies of Alexander's mother, who kept the home fires burning while her son went hunting empires. There are other actors in the drama — his few friends, his captains, his assorted wives and lady friends. By and large, they are a choice collection of cutthroats.

The author has made the olden days smell to high heaven, while he has also done well with their pomp and circumstance. Occasionally he draws breath to deliver some brief aphorisms and observations on this and that, which matter very little. He makes one omission, either by accident or design. Nowhere does Alexander sigh for more worlds to conquer; he seems to have trouble enough handling the one he has briefly beneath his thumb. So there goes another youthful illusion!

ECHO, by Shaw Desmond (Appleton, $2.00), makes use of a device which was old in the days of Phra, the Phœnician. The narrator has a severe case of reincarnation, so that in the midst of the modern world he recalls another lifetime at the court of Nero. This gives him a special advantage as an eyewitness of those unpleasant times — a privilege which classical scholars will envy him. Unfortunately his memory is so good that he remembers a number of things that aren't so. Those who have sound knowledge of ancient Rome must decline the popular picture of an empire of lewdness and lunatics. It suits the motion pictures, with some reservations in favor of censorship, but it won't fit history. The foulness and cruelties of Nero's court are a part of the picture, but by no means the whole of it, and one like this persistent hero, who enjoys both the perspective of time and the advantage of personal participation, should be able to give us a better proportioned picture. However, for those who like this sort of thing, here is plenty of blood and fire, martyred Christians, dying gladiators, chariot races, galley fights, and ladies of doubtful discretion. It may not be history, but it's a hot sketch.

PHOINIX, by Alan Sims (Little, Brown, $2.50), is a more impressive performance. Phoinix, as you doubtless do not remember, was assistant to the centaur, Chiron, who gave a course in war and eloquence to the young hopefuls of old Greece, and he followed the Greek arms through the Trojan war. Here he tells us all about it. The story is slow at the opening (Mr. Sims might have learned something from Homer as to the advantages of a flying start), but once under way it has a truly Homeric vigor.

It seems that the Greeks themselves might have enjoyed this book. It is peopled not alone by heroes and men of

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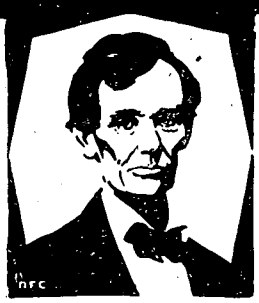

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war, but also by centaurs, nereids, gods and goddesses to taste. Fact and fable are woven together without any implications of secret significance. It is faithful to the epic spirit, and fine reading for those who remember their Greek legends wisely but not too well.

In the comparatively recent eighteenth century is laid GENERAL CRACK, by George Preedy (Dodd, Mead, $2.50). Considerable searching of reference books has failed to reveal whether or no there was in fact a General Crack — a sort of king-maker to the dotage of the Holy Roman Emperor, but by all that is right and proper there should have been. He was a real soldier of fortune, a mercenary but a man of honor, a powerful personality moving among the stuffed shirts of decadent royalties.

Mr. Preedy's book belongs on the shelf with Dumas, for, though it be a long story, it never flags in action, interest, and vivid portraiture of a passionate period in European history.

To all this reek and romance of war may be added a book of another color but the same sort of appeal. Some years ago there was bruited abroad a project for sealing for posterity a great collection of the fruits of our civilization, which should be buried beyond harm or hazard for the doubtful entertainment of our successors. The idea is now made into a novel in OUT OF THE SILENCE, by Erle Cox (Henkle, $2.00), with the difference that the safe deposit vault of history is bequeathed to our own times out of the fabulous past — in fact, across a gulf of twenty-seven million years. Part of the legacy is a beautiful woman, marvelously kept asleep and in good condition by forgotten wisdom. The hero wakes this sleeping beauty and finds that she knows entirely too much for this wicked-world's peace of mind. She has a characteristic feminine disposition to shatter the sorry scheme of things entire and fix it over after a better model. In fact, she was laid away in cold storage with exactly that intention. Fortunately or unfortunately, depending on how you feel about an ideal world, plain human jealousy cuts short her extended career with a dagger and all her marvelous gifts from out of the silence go up in one grand explosion.

This is preposterous stuff, of course, and the author might be well advised to paint his imagination with iodine to take down the swelling.

DEAD MEN TELL TALES

PRINCE LICHNOWSKY, German ambassador to Great Britain during the pre-war period, returned to his own country to encounter a disfavor close to persecution, which culminated in exile and at last in his premature death. Such unpopularity must be deserved or at least explained, and its reasons are revealed in HEADING FOR THE ABYSS (Payson & Clarke, $7.50). This is the ambassador's own defense against his critics. It is made up of documents, dispatches, and letters, dating principally from 1914 and the early days of the war.

We gather from these pages that Germany did not expect England to enter the war against her, and when she did so, she was accused of every species of international perfidy and chicanery. Yet Prince Lichnowsky's skirts are clear. Throughout the period of apprehension he repeatedly warned his countrymen, offering reasons for intervention so simple that they were incomprehensible to Germanic diplomacy. And it is against this diplomacy, inherited from the later years of Bismarck, that his bitterness and protests are directed. He roundly accuses his own people of stupidity and criminal shortsightedness: first, for the fatal alliance with Austria; second, for ignoring Russia; and third, for refusing to admit that England was inevitably involved in any hazard to Belgium, France, and the channel ports.

For this, he says, Germany has paid. "The Great War has made the Anglo-Saxons (by whom he means the English and Americans) masters of the world."

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They swayed about upon a rocking-horse, and thought it Pegasus.—*Keats*

INDIVIDUALISM VS. INTERNATIONALISM

EUROPE, by Count Hermann Keyserling; Harcourt, Brace, $5.00.
Reviewed by HENRY GODDARD LEACH.

I AM cooling off in Sweden for a few days after functioning as American delegate to an international conference of "pen" folk. At this congress one of the chief subjects of conversation was Count Hermann Keyserling's arraignment of the nations of Europe. The writers from each country with whom I discussed his *Europe* were hot under the collar. Each delegate assumed that Keyserling had singled out just his country — that and no other — for insult and abuse. Apparently they had not read the text from the Epistle to the Romans printed on the title page: "For all have sinned and come short of the glory of God." Nor had one of them as yet read the book; their indignation was based on the numerous citations in the press of many lands. Here in Sweden I have met only one man who has read Keyserling's latest, and yet it is the talk of every intellectual dinner party.

COUNT KEYSERLING.

Much of Keyserling's censure of Sweden is just; Swedish digestions and Swedish women are, indeed, ridiculously healthy organisms. But when he says that the Swedes are not intellectual, he must mean intellectual only in the beetling German sense. What they may lack in philosophical dialectic the Swedes make up for bravely in their art. Keyserling seems to be unaware that in painting and sculpture and industrial art the Swedes are to-day the pioneers of Europe and that students of architecture from Africa and America are hurrying to Stockholm to see the new buildings. By comparison, German appreciation of beauty is laughable. In the objective sciences, too, Swedes are at least on a par with Germans and Americans. Their art and their science combine to make Swedish life serene, pleasant, and efficient. The Swedes are always on time but never in a hurry. Keyserling senses this harmony and is irritated because he cannot explain it by any of his three criteria — social, political, or psychoanalytical — and attributes Swedish harmony and serenity to mere bovine complacency.

The unfairness in Keyserling's *Europe* is not so much in his acute criticisms as in his omissions. In interpreting no country, not even France or Spain, does he give due importance to art or to science. Yet it is a clever book, an original book, if not a final and definitive book. Maurice Samuel's translation is masterly. I have not found a single paragraph nor a page which does not contain at least one sentence to

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excite the protest of a conscientious reader and another sentence to score his praise. The text is poured forth in that torrential or rather volcanic stream which characterizes Keyserling. He digresses, but always comes back to his argument; he contradicts, but checks up and contradicts the contradiction. To summarize the psychology of a nation and define its "soul" in thirty pages he resorts not merely to impressionism but to expressionism, but he does try to make the picture fair. He exposes the soul of Hungary to preach his doctrine of aristocracy, and sketches Switzerland in a few master strokes in order to flay democracy. Let no reader omit those two chapters. They will make Keyserling more cordially feared in America and whet our appetites for his forthcoming book about — or rather *for* — Americans.

Most of that which will be described as foolishness in this volcanic book is really humor. For Keyserling is as much satyr as man and loves to wag his tail. "Whosoever is untouched by the grace of self-irony," he says in his introduction, "with him I can and will have nothing in common"; and in another place, "Playfulness is nothing other than the sign of inner superiority to the world of fact." The book is permeated with sardonic humor.

If Keyserling is not demonic, he must at least be partly Turanian, for there is something of the literary Genghis Khan in his complex — or is it Kublai, the artist-emperor? His approach to Europe is that of a Turanian armed, not with Tartar arrows, but the more piercing modern probes of the psychoanalyst. The methods of Jung and of Adler he applies not to individuals but to nations as a whole. The French are subjective introverts; their "self-consciousness is emotional rather than intellectual"; the Germans are objective introverts; whereas the Italians are extroverts. Writing in terms of psychoanalysis Keyserling says of himself "these portraits of the nations are the spontaneous formations of my unconscious." The application of such untested and dubious criteria to folk-psychology is fraught with danger, but Keyserling is brave and willing to err in the interests of originality and creative criticism. Throughout the book he praises the creative and dynamic, however chaotic, rather than the static, however perfect its façade.

Most amusing perhaps is the chapter on the English, whom he considers the most animal in their nature of all Europeans. That is why they can govern all sorts and conditions of men. Of Spain perhaps he is most admiring — "a model of essential substance." He repudiates all our stock estimates of Spain, including the notion that the Spaniard is cruel. "In the synthesis of the new Europe the Spaniard emerges as a representative of the primal cosmic element, as the representative of that which was before all history and will always be. . . . He knows how to do nothing, how to stand in one place." The French are a race of gardeners whose present function is to act as a brake on the careening chariot of progress.

But the Germans, when all is said, seem to be the salt of Europe — not the Germans of military delusions, but the Germans of objective pursuit of ideas. Serving ideas rather than men or mammon, they are destined to dominate Europe. With them abstract considerations are ruling realities. In Germany the thing predominates over the person (alas for loyalty!).

He has a lot to say about the value of tensions as opposed to inner fixations. True to his preference for the creative over the perfect and finished, for tension over equilibrium, Keyserling leaves his book unfinished. His last sentence ends, if not in an interrogation, in four questioning dots. He does, it is true, round out his psychoanalysis of the nations by indicating the probable coming unity of Europe — unity not of internationalism but of individualism. He seems to infer that Europe as an idea, as a world inheritance, will be recessive compared to the dominant soul strains of Asia and America. "To Europe, and to Europe alone, has the task been entrusted to guard the sacred fire of the spirit from extinction during the long night of the spirit which now lies before mankind."

Europe is not a determining nor yet quite a monumental book — Keyserling's exuberance and impulsiveness prevent this — but it is, in its method, a pioneer work and one of the big provocative books of the decade.

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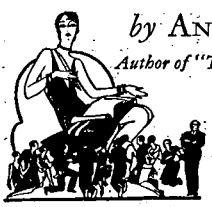

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A Japanese Classic

THE TALE OF GENJI, by Lady Murasaki, in four volumes; I. *The Tale of Genji*, II. *The Sacred Tree*, III. *A Wreath of Cloud*, IV. *Blue Trousers;* translated by Arthur Waley; Houghton Mifflin, $3.50 each.

Reviewed by ARTHUR WALEY.

IT has come as a surprise to many readers of this book that a story written so far away and so long ago could be of any interest. Particularly in England there is a tendency to regard everything remote in time or space as necessarily belonging to the drudgery of the classroom or the drab penumbra of the museum.

A London paper said recently that a book such as *Genji* could not of course be "read for pleasure" but must be studied "as one studies Homer." This idea that the classics are improving but not amusing is as old as the Dark Ages, and accounts for the survival of what ignorance and fanaticism have seen fit to bequeath.

The book, then, has had to overcome a widely-spread prejudice. A large proportion of readers first opened it with the idea that they were going to be educated rather than entertained. Why then, perhaps more than any other ancient work of fiction, has it succeeded in holding the attention of ordinary men? The reason is, I think, that alone among the novels of the ancient world it is concerned first and foremost with human relationships. The theme of the book is that love wanders but affection stays; and the situations arising out of this theme are in no way altered by the fact that whereas in our own society polygamy is banned, in ancient Japan it was recognized and allowed.

The difficulties of love, for civilized people such as ourselves and Genji, are conditioned not by exterior restrictions, but by our own sensibilities. We cannot bear to hurt people's feelings; that is the whole problem.

It is this element in the book that makes it sympathetic to us and enables us so easily to identify ourselves with the story. Again, Murasaki's sense of time, her feeling for the tragedy of human change, brings her near to many moderns. Particularly (without any desire to make a general comparison between the two writers) one thinks of Proust's last chapters and the de Guermantes, Charlus, Bloch made almost unrecognizable by the relentless transmutation effected by time.

Not only in *Blue Trousers* but scattered throughout all four volumes of Murasaki's book are passages marking this preoccupation with the pitifulness of age and decay. Ukon meets her old fellow-servant Sanjo, from whom she had been separated for many years: "As she drew near Ukon noticed that the old woman was wearing the most extraordinary narrow-sleeved overall on top of her frumpy old dress. She had grown enormously stout. The sight of her brought a sudden flush of humiliation to Ukon's cheeks, for she realized that she herself was also an old woman, and as Sanjo looked to her, so must she, Ukon, for years past have appeared to all eyes save her own."

Another passage in which this sense of change is less directly expressed occurs in the chapter "Asagao," when the shivering porter could not make the lock work. "'It's very rusty; there's nothing else wrong with it,' said the old porter dolefully, 'but it's terribly rusty. No one uses this gate now.' The words, ordinary enough in themselves, filled Genji with an unaccountable depression." This is surely a back-reference to that other occasion in Genji's life when a gate would not work. "Koremitsu came out of the other house full of apologies for having kept Genji waiting so long,—'I could not find the key of the gate,' he said." This was on the occasion when Genji first discovered Yugao. Thus the "lock that would not turn" became for him a symbol of his youth, and ultimately of his lost youth.

But the book has an interest and importance that are unconnected with its subtlety as a work of art. It reveals to us, with an accuracy confirmed by other documents which are not fictional, a phase of the human spirit which the world-historians have totally ignored. The Spenglers and Keyserlings of the future will have to read *Genji* and fit into their (fortunately very elastic) schemes the great and hitherto so little noted civilization of Heian.

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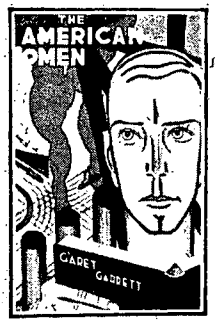

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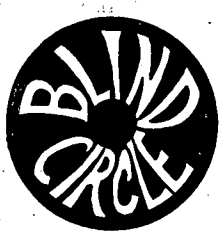

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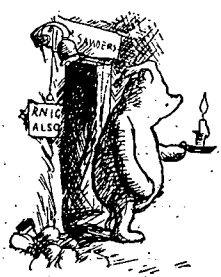

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Politics and Pedantry

THE PRAGMATIC REVOLT IN POLITICS, by W. Y. Elliott; Macmillan, $3.75. Reviewed by P. W. WILSON.

IN these five hundred pages, Dr. Elliott enhances his academic reputation by providing what will be welcomed in universities as a thoughtful comment on modern government. As a professor, he does not appear to have played any personal part in politics; but this is no criticism. In our statesmanship, as in our sport, there is a service to be rendered by the man on the sidelines.

Dr. Elliott deals with an immediate topic. Even the man in the street is familiar with the failure of democracy. The House of Commons may be the Mother of Parliaments, but neither in Moscow nor Madrid, neither in Rome nor in Warsaw, have the offspring flourished. Indeed, even in Great Britain herself, British Liberalism is fighting for its life. A review of these tendencies, based on facts, and illuminated by discerning comments on the facts, would have been of great value. Nor do we suggest that Dr. Elliott has failed. But, none the less, we shall break a lance with him. We shall indulge in what he would call "a pragmatic revolt against pedantry."

Dr. Elliott tells us, and we think rightly, that many of our statistics are "sadly lacking in direction" and he questions the value of "the mere piling up of monographs." Our only misgiving, as we browse over these fields of philosophy, is whether syllogisms may not be as lacking in direction as statistics. After all, it is possible to pile up polysyllables. For ourselves, we have found a word like "method" to be sufficient for its meaning. Dr. Elliott is only content with "methodology." Also, "intellectual" has been regarded hitherto as the adjective appertaining to "intellect." Dr. Elliott prefers "intellectualistic." Algebra would suggest that such terms be expressed as an infinite series, "intellectualistical-istical-istical."

Where new words are needed, let them be coined. But to every such word, there ought to be a corresponding thought. What we find in this, as in many other books of the kind, is a constant tendency to announce old ideas as if they were recent discoveries. Take a simple example. Dr. Elliott tells us that, for reasons of space, he has had "to leave out a chapter on Professor H. Krabbe's interesting idea of the *Rechtsgefühl* (or nonrational 'feeling for right') as the basis of law." In this sentence, there is the usual impressive German word and an allusion to a high academic authority. There is, indeed, nothing that scholars enjoy in these days more than the pastime of taking in each other's washing, and many a book or an article is a form of conversation. But, boil it down, and what is this "interesting idea," thus heralded with all the pomp and circumstance of erudition? It is, as stated, simply the usual commonplace that law should be based on the conscience of the community. The idea is no more the property of Professor Krabbe than it is of Mayor Walker. Incidentally it is taught in the Bible, and there are few editorials in which it is not used to fill up space.

Similarly with M. Duguit's *droit objective*. It is an idea, doubtless, which, like all ideas, invites analysis. But, in essentials, it merely means that the state has a right to dictate to the individual — in other words, that we have to render unto Caesar the things that are Caesar's. The only question here is whether, apart from Caesar, there is any other authority to whom also we must render a due.

In some cases, the new words applied to old meanings are calculated not to reveal truth but to conceal it. Dr. Elliott quotes M. Sorel's description of the General Strike as "a myth" and he himself applies the term "myth" to "peace on earth, good will to men." We gather what is meant. Myth is used as a synonym for illusion or ideal — to quote Dr. Elliott, it is "a social belief which stirs men to moral action." There could not have been selected a more preposterous synonym, and the selection of such a word for such strange use only means that the student has to waste his time, learning not what is meant either by myths or by strikes, but in trying to reconcile the two.

If we press this point, it is for a reason. No one would suggest that every anatomist should be a surgeon. But in universities, it would be regarded as unusual if a literature of anatomy were to develop

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which surgeons themselves could not understand. Dr. Elliott is a man of humor and we will ask him the question, "What is likely to be the reception of your book on the theory of politics by the practical politicians in Congress and Tammany Hall?" The gentleman from the Middle West wants to know about Italy and reads this:

> The ideology of Fascism contains a very queer *potpourri* of a sort of Macchiavellian Pragmatism, Gentilean Idealism, Sorelian Mythmaking and violence, and even the functionalism of the Guild Socialists and Syndicalists of Italy.

It is, indeed, a *potpourri;* we doubt whether Mussolini himself realized that he knew all that; and this is what our Congressman has to survive if he is to read later the excellent account of what Fascism really is that Dr. Elliott gives us.

The fact is that human thought is subject to cycles. There are periods when it is applied to vigorous purpose. But the energies of the mind, so developed, are then apt to be dissipated on the merely verbal. It was so with the Rabbinic tradition. The later philosophies of Alexandria were not less artificial. So with the scholastics of the Middle Ages. It is into such a period that erudition is now plunging. Thought is not orthodox or heterodox, latitudinarian or platitudinarian; it is becoming vocabularious — not a mere attempt to illuminate life by words but an attempt to use words — as in China — in exchange for life.

Not that we would suggest this as a fair judgment on the whole of this book. There are times when Dr. Elliott is quite human; and in any event, even when he is talking about political pluralism and deploring Mr. Dewey's unfortunate habit of confusing abstractions with universals — a point on which we doubt very much whether "Czar" Cook of the British Miners himself is clear — Dr. Elliott, as he transacts the gorgeous ceremonial of modern education, reciting his sonorous abracadabra and swinging his incense-laden censer, can claim that, in his academic office, he is surrounded by an excellent company of intellectualistic ecclesiastics of the library and the golden tassel.

The High Cost of Dying

FUNERAL COSTS, by John C. Gebhart; Putnam, $3.50.
Reviewed by Jow.

AT the head of every list of light fall reading must come this delectable volume of mortuary essays. But aside from the delightful entertainment which it affords, *Funeral Costs* fulfills an instructive purpose which makes it well nigh indispensable. One could hardly hope ever to become a completely successful corpse without first having digested the contents of Mr. Gebhart's masterpiece. Indeed, *The Embalmers' Monthly* assures us, in a prefatory note, that this is the final authority on such matters and that no funeral home should be without it. In this opinion *The Casket and Sunnyside*, another trade journal, concurs.

The original purpose of this volume was to find out what a "decent burial" ought to cost. However, Mr. Gebhart knew better than to go straight to the point, which might have been reached in a dozen pages. Instead he has made of the book what is known as an "exhaustive study," or a "definitive treatise"; in other words, he has tricked it out with foreword, introduction, acknowledgment, and preface, flavored it with illustrations, given a history of the subject as *hors d'œuvre*, garnished it with statistical tables, and finished it off with two appendices and an index.

Even in its make-up the book is significant. It heralds the rise of the lowly undertaker to the rank of "mortician." It marks the blossoming of the "funeral home" in this golden age. And, alas, it sounds a note of commercialism in an art that was once its own reward.

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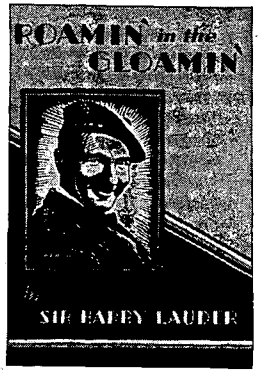

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He never had a steady customer. If he was a good undertaker, his patrons were in no condition to appreciate it and tell others about him. The forces of law, science, the health department, and monkey glands were united against him. It was illegal for him to go out and try to drum up trade. Yet, though it was continually dying off and could never increase in proportion to his efforts, he did not complain but rested content in the satisfaction of work well done. He knew, wise man, that his trade could not disappear altogether, so long as the race endured. The next to the last man on earth will be survived by an undertaker.

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To get back to the expressed purpose of *Funeral Costs*, we never did find out what a good bang-up American funeral ought to cost. But we did learn that one can be buried in Naples for $37.50 — which lends added point to the ancient boast, "See Naples and die!"

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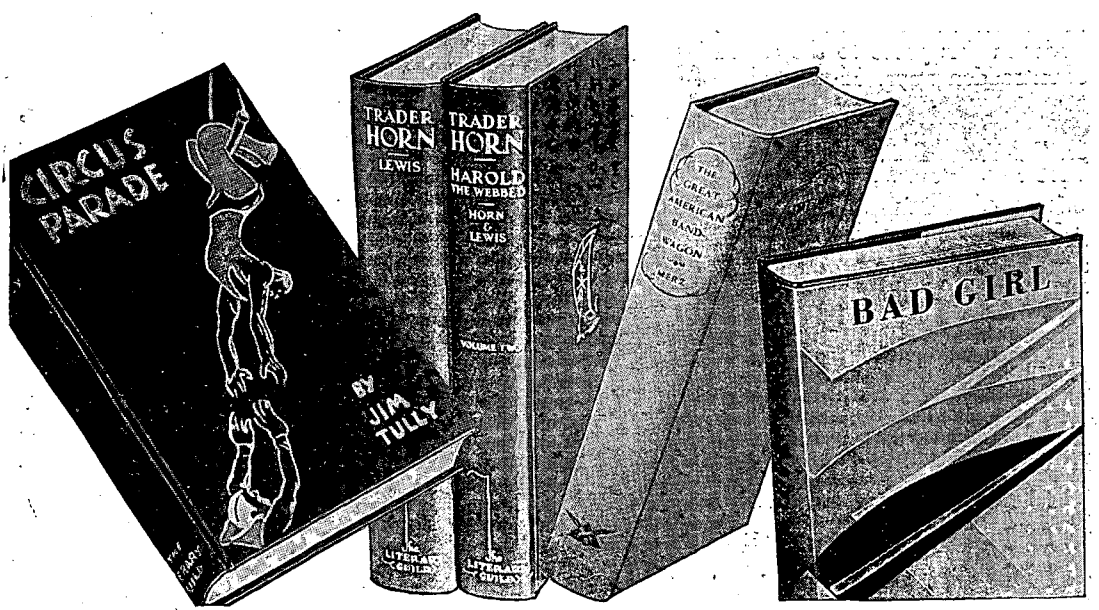

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IN September of last year John Cournos had an article in THE FORUM in which he chose what he considered the fifteen finest short stories in the world. After the appearance of this article THE FORUM was deluged with inquiries from people who wanted to know where they could find the stories selected, and it was no easy matter to direct them. Some of the stories were included in books which were out of print; some could only be had in the complete edition of the author's works; a few had never been translated into English. But now all obstacles are removed, for Dodd, Mead and Company has just published THE FIFTEEN FINEST SHORT STORIES ($2.50) containing Mr. Cournos's complete selection, all in one handy volume. The publishers are to be congratulated upon issuing such an anthology, which breaks across all artificial barriers of time and language and will serve as a touchstone to all readers and writers who would like to know what a perfect short story should be.

Buying books is like buying cantaloupes; we are compelled to throw many away before finding a good one.—E. W. HOWE.

IN THE GRAPHIC BIBLE, by Lewis Browne (Macmillan, $2.50), there is a blessing undisguised for teachers and parents who desire to give their children a sound geographical basis for the story of the Scripture. Its text reviews the chief historical incidents and each page bears its map, made graphic by inserted illustrations in the fashion of mediæval cartographers. Comparative dimensions are illustrated to the eye by drawings, directions of migrations are arrow-marked, physical and cultural conditions are indicated by sketches of vegetation, cities, or trading ships. There are some useful tables and synopses of the Bible books and an index by which to locate any Biblical place or person in the text or on the map. No Sunday school or group at family worship has any business to get along without some such guidebook to the lands of Scriptural history.

HERE it is here it is here it is. What is it? God knows. Has it a name. Yes it has a name. The name is named USEFUL KNOWLEDGE. What a name! Who did it. Gertrude Stein Gertrude Stein Gertrude Stein. Why Gertrude! You've been at it again, at it again. Tut tut tut tut tut tut tut. Another practical joke. Who is the is the is the joke on this time. The jokey joke is on the publishers, Payson & Clarke — unless you, dear dearer dearest reader, step up and pay five five five five, think of it, five dollars for *Useful Knowledge*. You may. There is one born every minute. One what? One Gertrude Stein? Heaven forbid! Tell me, Gertrude. Tell me honestly. Tell me honestly and frankly. Tell me not in mournful numbers. Tell me, is your tongue in your cheek? Can it be? Can your tongue be? Canned tongue. When you die if you die will your will contain only a loud "Ha! Ha!"? Or does your typesetter drink drink drink drink drink? Was he

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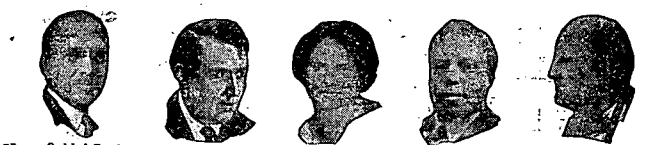

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just off on a glorious shrdlu shrdlu shrdlu shrdlu shrdlu . . . ?

JUST when the volume of books of color had about soured our taste for high flavor and low visibility, comes THE WALLS OF JERICHO by Rudolph Fisher (Knopf, $2.50), and it turns out to be excellent reading in every respect. It is written by a negro and concerns negroes, but its bid for attention is based on good sense and sentiment, good writing and a proper skill in literary craftsmanship. The racy humor of the colored people, their muddled aspirations, hopes, and jealousies, and the difficulties they bring to American city life are all here, but none so assertively as to turn a good story into a poor sermon. Added to that is a romance of real beauty. The book is beautifully bound and printed — in all, your full money's worth if you have a taste for Harlem.

IN the disagreements over the war debts it appears that no country is wholly in the right. Behind them are a multitude of petty prejudices and cherished grievances which do credit to no one; nor is any nation free from them. Philip Dexter and John Hunter Sedgwick, in THE WAR DEBTS (Macmillan, $1.50), examine the chips on the shoulders of the various countries and the reasons for their being there. They show that it is largely a matter of international bad manners, thoughtlessness, and stubbornness. If, before resenting the slights of other nations, we would recall our own similar offenses in the past, our feelings would be less easily hurt and our forgiveness more ready. As to the debts, the authors conclude that Europe has no right to demand that we cancel them, but that it would be to our interest to do so, as a matter of business as well as of preserving peace and friendships. The book professes to present only "an American view," but it does it in a fair, ingratiating manner that could not offend our dearest enemies.

THE BOOK OF CATHERINE WELLS (Doubleday, Doran, $2.50) has the advantage of an introduction by her husband — H. G. Wells himself — which presents an affectionate picture of a charming and gracious personality. Without it the book might well escape notice,

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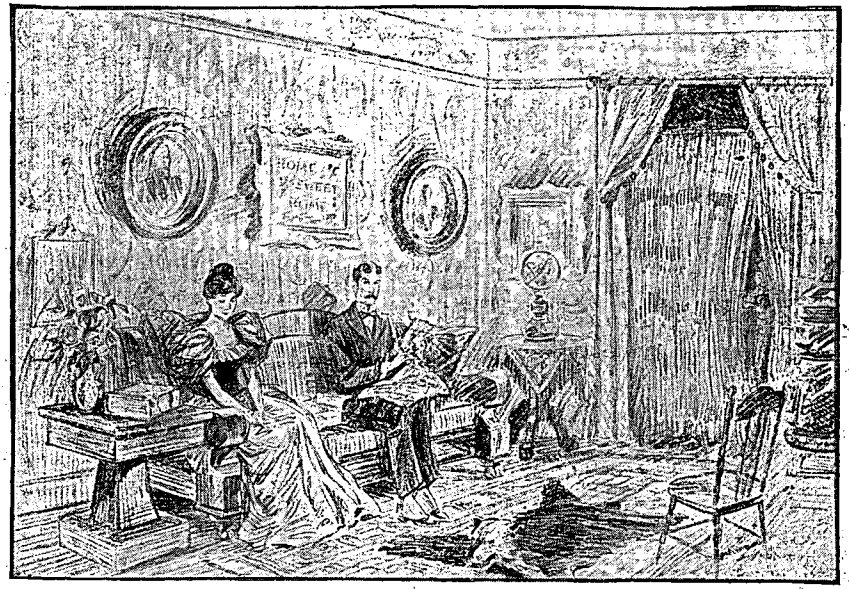

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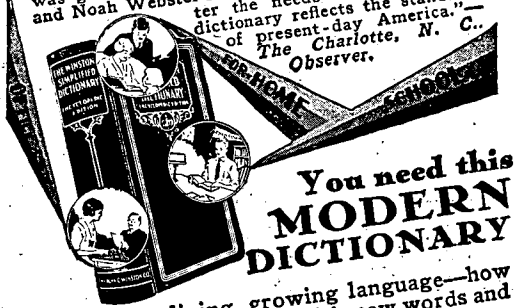

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since Mrs. Wells' sketches and verses are slight in substance though graceful in workmanship. But the preface paints a portrait, and thereby we are led to a definitely personal interest in the writing. Mr. Wells pays tribute to the wife he has loved and lost; he includes also the record of the funeral ceremony he wrote at her death. In part this is his own declaration of faith concerning mortality — one that could admit none of the established rituals of death. This part of the book will provoke thought; that which contains the work of Mrs. Wells will rest its case on a characteristic delicacy of style and the sweetness of personality seen through it.

SINCE most of us have a concealed sympathy for the more decorative type of criminal, SWINDLERS AND ROGUES IN FRENCH DRAMA (University of Chicago Press, $3.00) seems to promise well. Never was a title more deluding. Hilda Norman has done some conscientious spade-work in an unploughed field of literature, but her book is tainted with the dulness of a Ph.D. thesis. She traces the development of financial roguery in French plays from the seventeenth century to the present day, with especial emphasis on such famous scoundrels as Turcaret and Robert Macaire. Credit is due her for showing so clearly how varying financial conditions produced varying stage types, but it is remarkable that anyone could so conclusively manage to rob rascality of its glamour. Future scholars will turn with gratitude to her analytical summaries of plots, but as a piece of literature her book has little value.

THERE are novels so sound in their psychology that they are better scientific treatises than stories, and there are others that take harmless liberties with fact for the sake of fancy. Of the latter is THE DEVIL by Alfred Neuman (Knopf, $3.00), wherein psychology plays the part that magic once occupied in literature. The yarn is based on a sort of reversal of the doctrine of dual personality, since two men here merge identities so completely that they can scarcely tell themselves apart, even when the wife of one is involved. It is no tale for weak stomachs. The composite personality built of King Louis of Valois and Oliver

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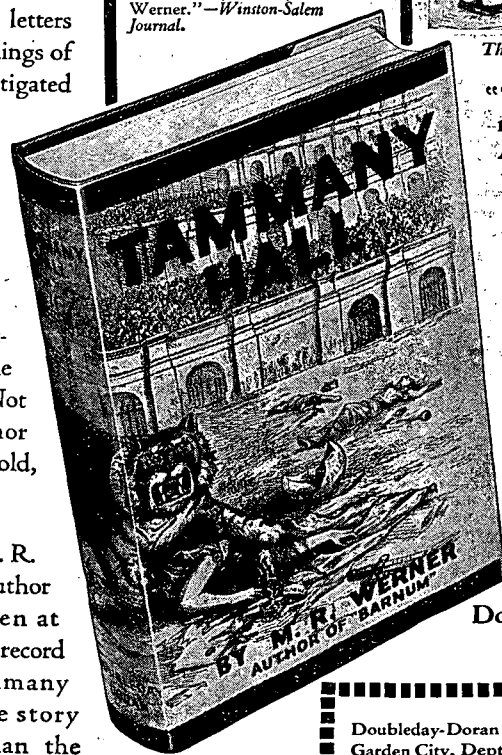

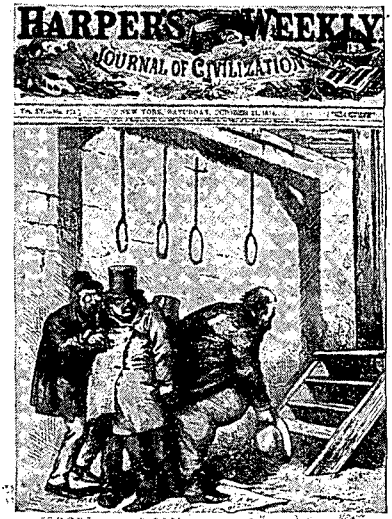

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Necker — one-time burgher of Ghent and barber and bearing the deserved name of The Devil — intrigues and rules with a fiendish subtlety and cruelty and there is no mistaking the diabolic origin of the partnership. It bears its worst fruit when the King desires the wife of Necker, and here tragedy comes in with a vengeance. It is a grim yarn, written with uncanny skill and a knowledge of human nature that owes more to magic than science.

A SCHOLARLY but lucid treatment of a painful subject is THE MONEY ILLUSION by Irving Fisher (Adelphi, $2.00). It is a plea for a world-wide stabilization of money, introduced by sufficient evidence as to its need and by practical examples of how far real values get away from nominal currency values in times of stress or change. We are disposed to be proud of the stability of the gold dollar, but Professor Fisher demonstrates that a dollar of such varying purchasing power can scarcely be called a fixed standard at all. For those with a flair for the "dismal science" of economics, this will be a useful primer.

THE University of Pennsylvania Press has brought out a "study of the Agricultural Revolution" under the title of HARVEY BAUM, by Edward S. Mead and Bernhard Ostrolenk ($2.00). It is a plea for industrial education applied to agriculture as an antidote to the inevitable migration cityward of those who find farming an unpleasant and unprofitable trade. They are now grown too many for our national safety. Harvey Baum is a farmer from Bucks County, Pennsylvania, who treated his land with intelligence as well as scientific fertilizers and made it repay him adequately on his investment. The idea seems to be that others should go and do likewise.

THERE is a surprise in the discovery that ESCAPE ME — NEVER by "John Presland" (Appleton, $2.00) is really the work of a woman — Gladys Skelton. The book itself would never betray it. It has a certainty and solidity which we reckon as masculine gifts, and a penetration into the masculine point of view which is positively alarming. Its theme is the nice old-fashioned one of love at first

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When Every Word Counts!

DO you *always* make every word count, whatever the occasion? In a business conference, can you express your ideas so well that what you have to say will win leadership for you? When you are called on for a speech, either with or without preparation, can you talk readily and effectively? Are you just as much at ease on a formal social occasion as in conversation with your intimate friends? Are you taking the active part in your club's activities that goes to the man of ready speech?

How often have you found yourself in a situation where you realized in a sort of instinctive flash, that you must not speak on impulse but must consider each word carefully and closely study its effect on the person with whom you were talking? Such important occasions come to all of us, men and women alike — in business, at home, in our social contacts.

All of us recognize as a priceless personal asset, the ability to talk effectively and well, no matter in what situation we may find ourselves. You have to talk with others constantly. Inevitably, people are judging you — your pronunciation, your grammar, your manner — above all — what you say!

You want to make the best possible impression, to be always well poised and interesting. You want to be able to look back later with the confident feeling that you used your powers to the fullest to meet adequately the particular situation.

Heretofore, you have had to depend almost entirely on your own observation for suggestions to help you develop this ability. Now there is available for the first time a complete guide that gives the sort of help that most of us really want:

How to Talk

Meeting the Situations of Personal and Business Life and of Public Address

by John M. Clapp *and* Edwin A. Kane

THIS new book is the direct outgrowth of the authors' many years of experience in personally training mature men and women in effective handling of the situations into which their activities call them. Professor Clapp was formerly Professor of English at Illinois College, Indiana University, and Lake Forest College; he now is Lecturer on Psychology of Speech at New York University. Mr. Kane is Instructor in Public Speaking, School of Civic Administration and Business, College of the City of New York, and President of the New York City Association of Teachers of English. Both for many years have conducted special training courses for executives of business organizations. These include such well-known institutions as Barron G. Collier, Inc., the Federal Reserve Bank of New York, and the Curtis Publishing Company. In addition, their experience includes the private coaching of hundreds of individuals whose responsibilities require them to speak with more than ordinary ability and skill.

Their book brings you the cream of this experience. In one carefully organized manual you will obtain all the essentials of a complete course in effective speaking to meet all the needs of your personal and business life.

"How to Talk" is unlike any other book that has ever been written. It will guide you in the steady development of your own personal powers. All that is necessary is to apply the suggestions of the book to the situations you meet day by day. From the very first page you will begin to get ideas that you can put to use at once.

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Part II. Meeting the Responsibilities of Your Calling. Difference between business and social conversation. Conversations between employer and employee. Business conferences. Conversations in buying and selling.

Part III. Your Social and Professional Relations. Your club. Committee work. Meetings — Parliamentary practice. Self-training in accurate thinking. Self-training in language. Self-training to improve your delivery.

Part IV. Your Private Hours. Your family circle. Social conversation. Telling a story. Reading for better command of speech.

Part V. Public Speaking. The occasion. Substance of your speech. Getting ready to speak. Facing your audience. Informal address. Persuasion. Public Address. Festive occasions.

Part VI. Details of Technique. The words you use. Enunciation. Pronunciation. Simple ways to develop precision. Overcoming foreign accents and local dialects. Improving your voice and bearing. Practical exercises.

The above outline will give you some idea of what "How to Talk" covers. But no description can give you an adequate idea of what this 647-page book can mean to you so well as your own examination of a copy.

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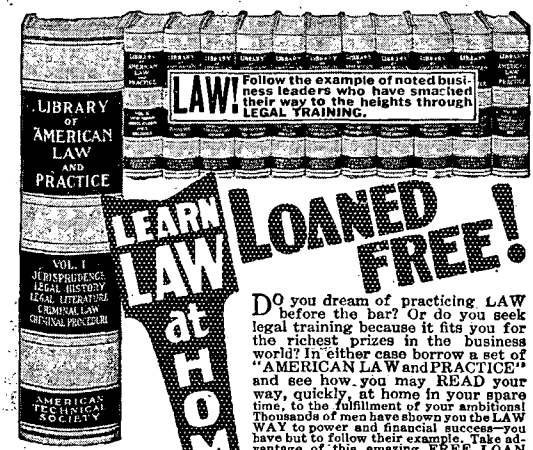

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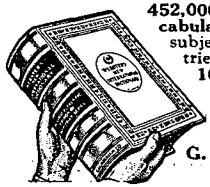

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sight and forever, but in all other respects it is modern in spirit, story, and manner. Vienna and elsewhere after the war, a princess in trouble and an Englishman in love, and a cosmopolite to tell us all about it, are the main matters of the book. The love story is a rather lovely though tragic one. Raimond, the lover, is a persistent young man in pursuit of the lady of his dreams, but to this Browser the chief personality of the book is Valentine von Arlen, who tells a good story very well indeed.

THE trouble with the League of Nations lies not with the League, but with the nations, and more particularly with the individuals of the nations. Starting with this premise, Alfred Zimmern, in LEARNING AND LEADERSHIP (Oxford Press, $2.00), proposes education along international lines as an approach to the intellectual coöperation which he believes to be the necessary basis of a successful League. Statesmen, he says, no matter how enlightened, can accomplish nothing until the people whom they represent have acquired an attitude of mind broader than the limits of their own geographical boundaries. Though Mr. Zimmern's object is utopian, his methods are not impractical. They are dependent largely upon foreign contact through travel and the exchange of professors and students. Their inadequacy lies in the fact that they can be applied only to a small number of people — a minority which could hardly be expected to carry the rest of the world with it. But even if this little book does not succeed in reforming the world — which the author hardly expects — it may have its use in suggesting to some of us that the entire universe is not located in our back yard.

IT used to be that A was an Archer who shot at a frog, but to-day A is an Airplane, an Amphibian, and an Aileron, while B is a Biplane, C a Carrier, and D a Dirigible. All this and more we discover from AN ALPHABET OF AVIATION by Paul Jones (Macrae Smith, $2.00), which is the up-to-the-minute equivalent of the nursery books of old. It appears that the modern infant has a pretty high intelligence quotient, since his new book contains quite a comprehensive supply of

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sound aëronautical information, but the chief delight for himself and his daddy will be the illustrations by Edward Shenton, all done in the gayest color with a striking poster effect. The only letter lacking its aëronautical equivalents is X, which, we suppose, marks the spot where the accident occurs when the child tries to put his new knowledge into practice.

THE only trade that shows no likelihood of rising above its source or improving much on its primitive practice is that of printing. You will find proof of this in A HISTORY OF PRINTING by John Clyde Oswald (Appleton, $7.50) — one of the most beautiful books of the year. Its text is authoritative, being the work of an international expert and collector of examples of early printing; but the beauty of the book lies in the magnificent illustrations of old type work, some of them illuminated in color and gold. Printing was nurtured in infancy by a triple alliance of scholars, artists, and gentlemen, and their work does them perpetual honor. Nothing more beautiful than the page of the 42-line Bible, printed in the fifteenth century, is likely to emerge from the machinery of the modern world, and our typographers still go far back for inspiration in the development of new types. In addition to the history of the printing art, the book contains much concerning presses, paper making, engraving, bookbinding and the history of the craft. It is a book to own with real pride and pleasure.

G. H. EDGELL has brought out an exhaustive but interesting book on THE AMERICAN ARCHITECTURE OF TODAY (Scribner's, $6.00). In it consideration is given to the development of architecture in this country, its foreign influences, and its expression in domestic, academic, ecclesiastical, and monumental forms. All this, however, is really a prelude to the main theme — that the skyscraper is the one great contribution of America to architecture. Mr. Edgell is enthusiastic about the modern trends. One finds him lenient even toward the Christmas-tree school of decoration sponsored by the movie theatres. He discusses individually the merits and defects of what he considers the leading examples of architecture

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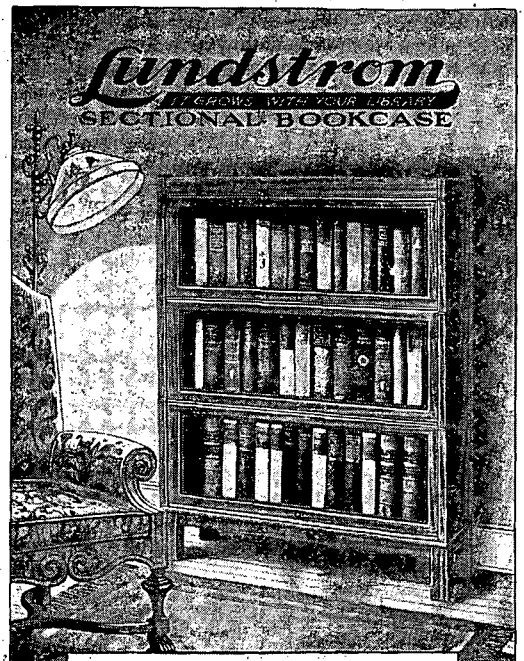

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FRANK LUKE of Arizona was one of the worst soldiers in the A. E. F., and its most spectacular hero. He was just seventeen days in active service, during which he devastated enemy aircraft, broke all army regulations, incurred court-martial, and went gloriously to death. Bad weather cramped his style for four days, but in the other thirteen he brought down fourteen balloons and did over a million dollars worth of damage to the enemy. His story is written in THE BALLOON BUSTER by Norman S. Hall (Doubleday, Doran, $2.00), and it is a tale to stir young blood and strengthen old faith in the unconquerable spirit of the boys of the West. If your boy doesn't thrill to it, there's something seriously wrong with him.

REVEALING the sum of what men know of the stars in their courses and of the evolutionary law at work in the universe, Professor J. H. Jeans has written ASTRONOMY AND COSMOGONY (Macmillan, $10.00). Referring to these same laws, he concludes that the infinity of space is uninhabited and that its marvels — created by no known original power and for no conceivable reason—are inexorably dissolving again into a purposeless end. There is a vicious circle in such reasoning, for in the pursuit of wisdom it brings us at last to doubt the very powers by which we seek it. David Hume found the same darkness at the end of the road of pure reason, and Professor Jeans confesses it in his last page. "What is the relation of life to this universe, of which, if we are right, it can occupy only so small a corner? What, if any, is our relation to the remote nebulæ? . . . Are we merely part of the same picture as they, or is it possible that we are part of the artist? Are they perchance only a dream, while we are brain cells in the mind of the dreamer?"

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SHOULD THE CRIMINAL JURY BE ABOLISHED? — *Edgar Allan Poe* and *Martin W. Littleton*

As a sequel to this month's debate on the civil jury, the former Attorney General for the State of Maryland will debate the abolition of the criminal jury with chief counsel for Harry F. Sinclair.

DICKENS AS A NOVELIST — *André Maurois*

The works of Dickens are still best sellers in England and America. Must such popularity be deserved? M. Maurois doubts it.

WHAT'S WRONG WITH THE LAITY? — *Gordon King*

A layman's frank confession of his loss of faith, and why.

THE BALLOT AND THE BOOBOISIE — *Charles Merz*

Democratic theory holds that counting noses is a guarantee of good government. A national election offers the opportune moment to examine this precious doctrine.

DO ENGLISHMEN DISLIKE AMERICANS? — *C. E. M. Joad*

The author of *The Babbitt Warren* cites chapter and verse to explain his nation's superiority complex.

EXPERIENCES FACING DEATH — *Mary Austin*

Intimate mental history of a scientifically minded woman, showing why she believes in immortality — an answer to Clarence Darrow's article in this issue.

WHY I BELIEVE IN PROGRESS — *Henry Ford*

Progress is a slippery word, and some philosophers believe it is *only* a word. But Mr. Ford is a realist and tells why he is convinced that the world moves forward.

Also: "Coddling Children" by Dr. Leonard Hill — "Rabelais," Second Installment, by Anatole France — "My Grandmother and I," a Contrast in Feminine Happiness, by Dora (Mrs. Bertrand) Russell — "The Poilu's Passion," a Long Poem, by Marc Leclerc.

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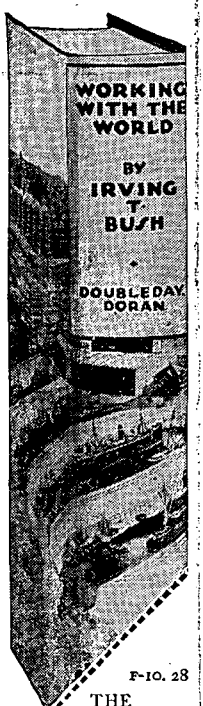

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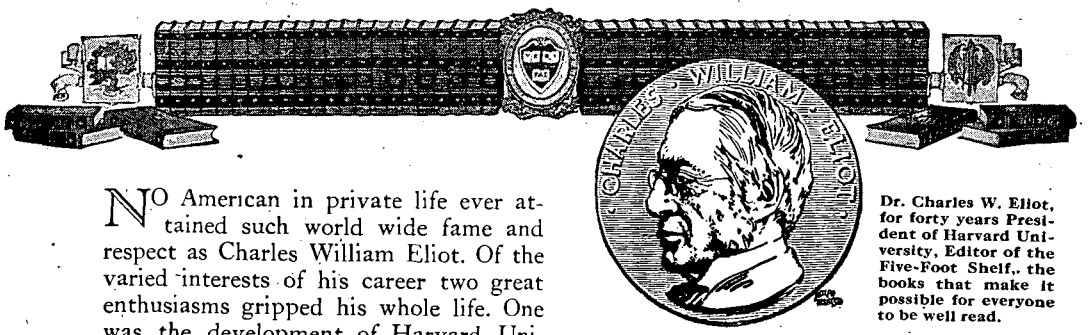

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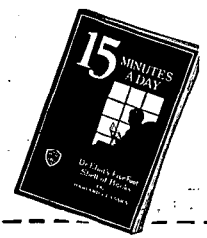

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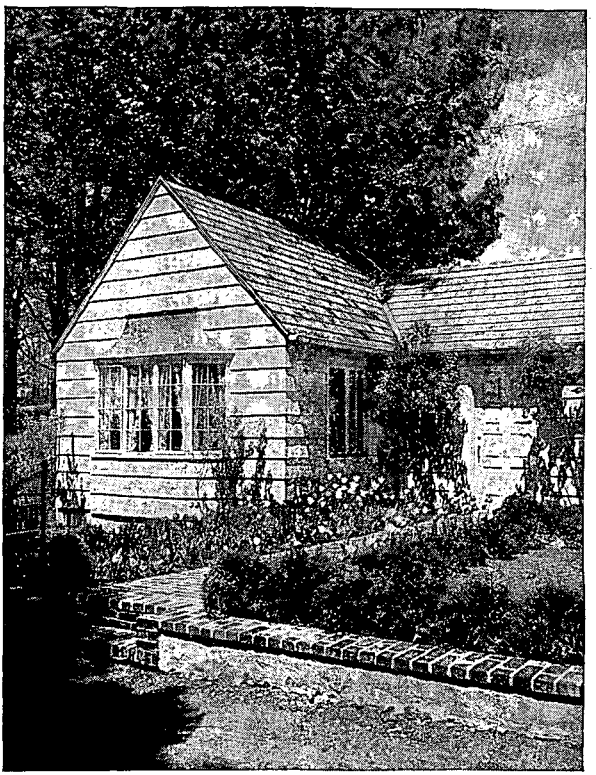

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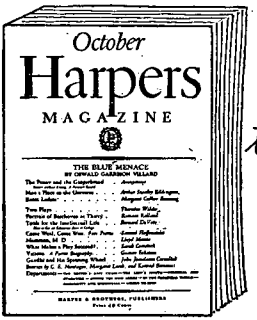

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JOHN HAYNES HOLMES

Liberal clergyman who thinks marriage a more serious problem than divorce

(See page 551)

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Youthful novelist from the East who writes realistic stories of the West

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ANATOLE FRANCE

And François Rabelais (at left) — his master who became his subject in this posthumous biography

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THE FORUM

OCTOBER, 1928

Vol. LXXX No. 4

RABELAIS

A Biography in Three Installments

ANATOLE FRANCE

Translated by Ernest Boyd

I — The Making of a Monk

IN the garden of France, near a forest at the foot of a rocky hill surmounted by the ancient castle of the Plantagenets and the Valois, on the right bank of the river Vienne, stands the finest city in the world, according to its most illustrious son; a famous city, at all events, as its coat of arms declares:

Chinon
Little town,
Great renown,
On old stone
Long has stood.
There is the Vienne if you look down.
If you look up, there's the town.

It is a very ancient city which Gregory de Tours calls Caïno; for which reason a citizen of Chinon whose acquaintance we are about to make attributes its foundation to Cain, the first builder of cities. At the end of the fifteenth century and at the beginning of the sixteenth, Chinon gaily displayed its crooked streets, its spires and towers in the moist sunlight of Touraine. At this time Antoine Rabelais, gentleman of La Devinière, Bachelor of Laws, carried on his profession as a lawyer. Being the oldest lawyer of the circuit, he was entrusted in 1527 with the highest jurisdiction in the district of Chinon, in the absence of the lieutenants, general and particular. His father had died young. His mother — Andrée Pavin — was married for the second time to a certain

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Sieur Frapin, and presented him with six children, one of whom became Canon of Angers, lord of Saint Georges, and the author of some beautiful and joyful carols in the language of Poitou.

On the death of his mother, which occurred in the year 1505, Antoine Rabelais inherited the property, castle, and mansion of Chavigny, together with all seigniorial and manorial rights, and all taxes, rents, income, and services, all rights of hunting, fishing, and grazing reserved to the deceased.

In the town he owned a large house, known as the house of Innocent, the Pastry Cook, which became an inn, "At the Sign of the Lamprey," toward the end of the sixteenth century. There was a cellar connected with the house. In order to go from house to cellar, contrary to what one usually does, it was necessary to climb up by as many steps as there are days in the year, because the cellar stood much higher than the house, on a level with the castle that overlooked the town. After having climbed up, one entered the cellar by going through an archway covered with paintings. For this reason it was called the Painted Cellar.

Antoine Rabelais also owned in the parish of Sully, a full league from Chinon, opposite to Roche-Clermant, the farm of La Devinière, after which he was called. The vineyard was planted with *pineau*. That is the name of a dark grape of small size whose bunches are in the shape of pine needles. To say that the grapes of La Devinière were exquisite is not enough. Let us rather listen to the remarks made at La Saulaie by a certain drinker, a son of that soil, as he sat on the green grass when Gargantua was born: "O! *Lachryma Christi*, it is from La Devinière! O! the fine white wine, upon my conscience it is a kinde of taffetas wine, hin, hin, it is of one eare, well wrought, and of good wooll." "Of good wooll" — our drinker, who knew the farce of *Pathelin*, talks like a merchant who is praising his cloth; and when he declared that the wine is of one ear, it is because the people of Chinon put the good wine in one-eared flagons, or in other words, flagons with a single handle. Certain connoisseurs declare that this little wine, although quite decent, was nevertheless too rustic and vulgar to be thus clothed in taffetas and velvet. Let us not listen to them. It is better to rely on the drinker of La Saulaie. It ill becomes a Rabelaisian to depreciate the vineyard of La Devinière.

The wife of Antoine Rabelais, who was a Dusoul, had already borne three children to her husband — Antoine, the elder son, Jamet, the younger, and Françoise — when, about 1495, she

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brought into the world her last-born, François, who was to rival in knowledge the most learned men of the century and to relate the most diverting and most profitable stories that have ever been told in this world. It is believed that François was not actually born at Chinon but at La Devinière, whose memory was always so dear to him that I have just been afraid to criticize its vines lest I should irritate his cheerful shade.

From his third to his fifth year he spent his time like the little children of the countryside: "That is, in drinking, eating, and sleeping; and in sleeping, drinking, and eating; and in eating, sleeping, and drinking. . . . He wallowed in the mire; he blurred and sullied his nose; he blotted and smutch't his face; he trode down his shoes in the heele; at the flies he did oftentimes yawn, and ran very heartily after the butterflies, . . . dabbled everywhere. . . . His father's little dogs eat out of the dish with him." What I have quoted is the childhood of Gargantua. That of François Rabelais was very similar, I assure you.

Consecrated to the Lord

Toward the age of nine or ten years, the child was sent not far from La Devinière to the village of Seuilly, where there was an Abbey in which, forty years before, had lived a certain Guillaume Rabelais, who had kept up his relationship with the family of young François. Whether his parents sent him there to make a monk of him and wished to consecrate their last-born to the Lord, we do not know. We do not even know that his mother did not die in giving birth to him, as Badebac expired on bringing Pantagruel into the world. But one cannot help recalling in this connection a remark of the little monk of Seuilly, in his old age, on the subject of mothers whose children are destined from infancy to the cloister: "I am amazed that they carry them for nine months beneath their hearts, seeing that in their homes they cannot bear nor suffer them nine years, nor even seven, more often, and by simply adding an ell to their dress and cutting I know not how many hairs from the top of their head, by means of certain words they turn them into birds." By "birds" he means monks, and he gives the reason which, in most cases, prompts parents to give their children to the Church. The reason is that monks, having renounced the world, are disqualified from inheriting. "Therefore," he says, "when there are too many children, whether male or female, in some good family, insomuch

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that the house would come to nothing, if the paternal estate were shar'd among them all: as reason requires, nature directs, and God commands, parents rid themselves of their children by making them clerghawks." Clerghawk — the word is peculiar to our author, but its meaning is obvious.

They say that François Rabelais met at Seuilly a young monk named Buinart who astonished him by his simple good sense, his faithful heart, and his powerful fist, and that later on he made him Friar John of the Trencherites — by improving much upon nature, it is true. But, if it is true that Friar Buinart was angry at the portrait, either he was too simple-minded to understand, or he judged it by hearsay and according to the reports of malicious people.

On leaving Seuilly, the scholar entered as a novice the monastery of La Baumette, founded by King René. There he met the young offspring of an old Touraine family, Geoffroy d'Estissac, who became Bishop of Maillezais at the age of twenty-three, and two of the brothers du Bellay, one of whom was a bishop and the other a captain. He made a favorable impression upon all three of them and prejudiced them greatly in his favor.

Rabelais finished his novitiate with the Franciscans of Fontenay-le-Comte, went through all the stages of the priesthood, and took orders about 1520. Amidst all these monks, who, they say, made vows of ignorance rather than of piety, he devoted himself ardently to study; and if it is true, as it seems, that later on, when portraying the man of study, he portrayed himself, we cannot doubt that his youth was chaste and thoughtful, thoroughly exemplary. Indeed, it is a pleasure to recognize the young Friar François in this rich and fresh picture which adorns one of the chapters of the Third Book of *Pantagruel:*

> Contemplate a little the form, fashion, and carriage of a man exceeding earnestly set upon some learned meditation, and deeply plunged therein, and you shall see how all the arteries of his brain are stretched forth and bent like the string of a cross-bow. . . . Nay, in such a studiously musing person, you may espy such extravagant raptures, of one, as it were, out of himself, that all his natural faculties for that time will seem to be suspended from each their proper charge and office, and his exteriour senses to be at a stand. In a word, you cannot otherways choose than think that he is by an extraordinary ecstasie quite transported out of what he was, or should be. . . . Therefore is it that Pallas, the Goddess of Wisdom, Tutress and Guardianess of such as are diligently studious and painfully industrious, is, and hath been still accounted, a virgin. The Muses upon the same consideration are esteemed perpetual maids; and the Graces, for the like reason, have been held to continue in a sempiternal pudicity.

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At Fontenay-le-Comte Rabelais burned with an inextinguishable thirst for knowledge, the thirst which then consumed the greatest minds and the noblest souls. The great breath which passed over the whole world at that time, the warm breathing of the springtime of the mind, had touched his forehead. Humanity was reborn in the genius of antiquity. Italy had been the first to awaken to science and beauty. In the country of Dante and Petrarch, the ancient wisdom had never completely died. A strange fact, related by a capable annalist of the fifteenth century — Stefano Infessura — is a symbol, as it were, of this awakening.

It was the 18th of April, 1485; there was a rumor in Rome that some workmen from Lombardy, while digging along the Appian Way, had found a Roman sarcophagus with these words engraved upon the white marble: "JULIA DAUGHTER OF CLAUDIUS." On raising the cover, they saw a virgin of fifteen or sixteen years, whose beauty, by reason of unknown ointments or some magic charm, shone with a dazzling freshness. With her long, fair hair spread upon her white shoulders, she was smiling in her sleep. A troup of Romans, seized with enthusiasm, lifted the marble bed of Julia and carried it to the Capitol, where the people came in a long procession to admire the unspeakable beauty of the Roman virgin. They stood in silence looking long at her, for her figure, the chroniclers say, was a thousand times more admirable than that of the women who lived in their day. In the end, the city was so deeply moved by this spectacle that Pope Innocent, fearing lest a pagan and impious cult might be born of the smiling body of Julia, caused it to be removed by night and secretly buried. But the Roman people never lost the memory of ancient beauty which had passed before their eyes.

The Renaissance

Such was the Renaissance in Italy and all over Europe. Antiquity was found again; the ancient letters and sciences were restored. What fecund virtue, what powerful life, is contained in the masterpieces of Greece and Rome! They emerge from the dust, and suddenly human thought tears off its shroud. From these scattered remains, buried for more than a thousand years, welled an eternal fountain of youth. Thinkers, nourished on Scholasticism, formed by the narrow discipline of the Schools, found a liberating inspiration in their commerce with the ancients. In these Greek and Latin fragments, drawn out of the shadows

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of the cloisters, two great civilizations lived again, governed by wise laws, upheld by heroic virtues, distinguished by eloquence, embellished by poetry and the arts.

Let us try to understand more clearly, to understand completely the resurrection of that barbarous world, which had died of ignorance and fear. The Greek genius was in itself a liberator and a savior; but what freed the soul was the effort made to understand it. The ideas of Plato and Cicero were fruitful, but the industry and discipline of the minds which endeavored to understand them were even more fruitful. At last men dared to think! Believing that they were thinking through the ancients, they thought for themselves. That is the Renaissance.

Printing, which was invented about the middle of the fifteenth century — "by divine suggestion," as our author would say — greatly helped this rebirth of learning, which, because of its excellence, was called by the single word Renaissance. Hidden and disguised at the beginning, a humble imitator of calligraphy, and entirely occupied in copying Bibles, printing grew, spread, and became the universal dispenser of sacred and profane letters. Texts were multiplied by the press; to speak in terms of Pantagruelism, it was an enormous wine-press from which flowed the wine of knowledge for all.

Paris, which had its first printing press under Louis XI, in a cellar of the Sorbonne, very soon had twenty or thirty. The learned city of Lyons had fifty by the beginning of the sixteenth century. At that time, Germany had more than a thousand. The Book Fair was a source of inexhaustible wealth to Frankfort. The treasures of antiquity, which had once been locked up in the coffers of a few humanists, were released and circulated everywhere. Virgil was printed in 1470, Homer in 1488, Aristotle in 1498, Plato in 1512. Men of letters in every country exchanged their ideas and their discoveries among themselves. In the city of Basle, at the back of a printer's shop, a little old man, thin and feeble, Erasmus of Rotterdam, with tireless spirit led humanity in the direction of greater knowledge and consciousness.

While the past was being revealed in its classic glory and beauty, the navigators Vasco da Gama, Columbus, and Magellan showed the real shape of the earth; and the system of Copernicus, by bursting the narrow limits of the astrological heavens, at once revealed the immensity of the universe.

In France learning was restored; colleges sprang up everywhere,

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protected by the bishops against the laziness and barbarism of the monks. Scholasticism, dry and sterile, was dying; its death, in the domain of the spirit, was the death of death. Scholasticism died: everything was reborn, everything was revived, everything smiled.

Friar Rabelais, in his monastery at Fontenay, experienced that zeal for knowledge and understanding which fired the minds of the élite at the time. There, among all those monks who were afraid to study lest their heads should burst, were three or four who, like himself, were devoted to classical studies. One of them is known to us by the Greek surname Phinetos. Another was Pierre Lamy who, being far advanced in his Greek studies when Friar François, his junior, was beginning, had acquired the esteem of the most famous humanists by reason of his knowledge.

The Republic of Letters

In those times, in every country, the disciples of learning knew each other, sought each other out, and formed what were almost secret societies. They visited each other and indulged in learned discourses between themselves of whose freedom our academic discussions can give no idea. If they could not see each other, they corresponded. Then the correspondence of scholars was the equivalent of contributing to special reviews at the present time and of communications to the Institute. The number of learned letters exchanged by the humanists was prodigious. "I am overwhelmed with letters from Italy, France, England, and Germany," said Henri Estienne. Erasmus tells us that he received twenty letters a day and wrote forty.

The Hellenist monks of Fontenay consorted with the best minds of the country: Jean Brisson, King's Advocate, and his relatives, who urged Friar François to throw his habit to the dogs, hoping that afterward they would enjoy his conversation more freely; Artus Caillé, first lieutenant particular of Fontenay; André Tiraqueau, Caillé's son-in-law, a judge at Fontenay; Aymery Bouchard, president of the court of Saintes — all humanists and great admirers of antiquity, all people who found infinite beauties in the *Pandectes* and who, like Pantagruel, knowing by heart the fine texts of Roman law, could discuss them like philosophers. Did they not hope (and not without reason) to find once more in those ancient texts upright rules and just laws? With them Rabelais himself became a rather good lawyer and a great admirer of Papinian.

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Pierre Lamy was in correspondence with the illustrious annotator of the *Pandectes*, Guillaume Budé, who knew Latin and Greek better than anybody in France and who joined to his learned studies the important office of Secretary to the King. This great man wrote to the monks of Fontenay learned letters in Latin and Greek, and in each letter he had a word for young Rabelais: "My salutation to your brother in religion and science. . . . Farewell and a fourfold salutation in my name to the gentle and learned Rabelais, by word of mouth if he is with you, or in writing if he is away."

The gentle and learned Rabelais also aspired to the honor of receiving a letter from the great man. Pierre Lamy promised to get him one; but for a long time his efforts were in vain. Friar François, not receiving any, denounced his companion in pleasant terms to Guillaume Budé, as having given himself more credit than he really possessed. Budé entered into the joke which, heavily laden with Roman law, was not exactly light humor. These giants of learning played with the Digest as Gargantua played with the large bell of Notre Dame.

A *Manual for Wives*

Judge Tiraqueau, who, in 1512, at the age of twenty-four, had married Marie Caillé, spinster, aged eleven, was looking for the best means of instructing, educating, and forming the mind of his young wife. To this end he consulted the ancients and, having compared a multitude of texts, he hastily composed a treatise *De Legibus Connubialibus*, upon which, it is supposed, he made the young Franciscan scholars of Fontenay work, and which was printed in 1513. The doctrine of Tiraqueau as to the rights and duties of married couples is in substance as follows.

Woman is inferior to man; it is her duty to obey, his to command. That is the will of nature.

Strength and reason are the man's part.

One must choose a wife who is neither too beautiful nor too ugly, whose position in life is analogous to one's own, without, however, avoiding too carefully marriage with a daughter of the nobility. Marriage with widows and women of mature age should be avoided. Men should marry at the age of thirty-six; women at eighteen. (We have just seen that Tiraqueau had married a girl of eleven when he was twenty-four.) It is well to make inquiry

(*Continued on page 623*)

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SHOULD THE CIVIL JURY BE ABOLISHED?—A DEBATE

CERTAIN jury trials in which it seemed that there was a flagrant miscarriage of justice have recently created a general demand for a thorough investigation of the jury. In response to this demand THE FORUM *here presents the first of two debates in which the civil and criminal juries will in turn be attacked and defended by the most brilliant lawyers* THE FORUM *could corral. Many will believe with Mr. Russell Duane that the jury is an antiquated and cumbersome device — at its best, inefficient and uncertain; at its worst, a travesty of justice. Mr. Duane would abolish the jury and in its place set up a small but scientific tribunal of experts. Others will agree with Mr. F. Lyman Windolph, who fears the technical refinements of judge-made law and prefers to purge the jury system of its abuses rather than to abandon it "for ills we know not of."*

I—THE BLIND AND BUNGLING GODDESS

RUSSELL DUANE

DOES the jury system furnish a satisfactory method of settling private disputes, or is it an outworn relic which should be replaced by something more scientific and up-to-date? What kind of a tribunal is best fitted to fulfill this important public function with accuracy, speed, and impartiality? These are questions of vital import to the community, especially to that portion of it having claims to enforce or property to lose.

Criminal cases are not involved in this inquiry because, from the days of the early English kings, there has persisted a strong popular conviction that no accused person should be deprived of life or liberty except by the concurrent judgment of twelve of his peers. Civil cases, however, with a few exceptions such as divorce suits, involve the very different question of "how much money or property, if any, shall some public tribunal take from A and award to B?" Obviously the proper adjudication of such cases calls for the best form of tribunal which the wit of man can devise.

Wendell Phillips, in his famous Phi Beta Kappa oration, praised the jury system because it "worked out a rough, average justice." His glib words were really a condemnation. If each of two litigants had a just claim to $5000, and a jury were to give $2000 to one and $8000 to the other, the kind of justice administered would "average" up correctly and it would also be "rough" (especially

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on one of the claimants); but such a result would shock the conscience. It is the frequency of such results which is disquieting. The kind of justice the community ought to have is not "rough" and "average," but intelligent and exact.

The writer has no personal ground of complaint against the jury system, but long observation of it has led to a conviction that in civil disputes an average jury cannot be trusted to hold the scales of justice. It is the misfortune rather than the fault of the average juror that he has neither the native ability nor the acquired experience and skill to deal with complicated issues of fact. Like most average men, his experience has been largely confined within the limitations of home, occupation, church, lodge room, and the contents of his favorite newspaper. There is a popular superstition that the so-called "plain man," especially when acting in conjunction with others equally "plain," is endowed with a kind of "instinct" which enables him to detect falsehood and prevarication, discount exaggeration, see through disguises, analyze conflicting stories, and uncover the real truth in any kind of case. In point of fact, he has not the ability to do any of these things. An unscrupulous advocate who is a sufficiently good actor can, by deceptive ruses and appeals to prejudice, make an average jury ignore the most truthful testimony and draw the most unfounded inferences. In cases which relate to such matters as commerce, mechanics, science, and medicine, the issues are invariably beyond the comprehension of an average juror. How can a ward-heeler, for example, living on political jobs like jury service, be expected to decide intelligently whether a steamship has been equipped with proper machinery? How can a mechanic, however well-intentioned, judge of the propriety of an unsuccessful surgical operation?

Most law suits present a plurality of complicated issues which single-track minds are utterly unable to grasp. To discriminate between conflicting items of evidence, to determine whether a skillful prevaricator is twisting facts to his own profit, to see when they are being either grossly exaggerated or manufactured out of whole cloth, requires the highest degree of judgment, education, experience, and mental alertness. No greater demand can be made on the human intellect. To expect a so-called "plain" man to perform this kind of work successfully is about as sensible as to ask him to preach from a pulpit, perform a surgical operation, edit a magazine, or serve as Governor of a State. Whenever a

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jury trial involving anything difficult has a really creditable ending, it can generally be traced to the accidental presence of some one juror possessed of an intellect and personality so dominating as to control the verdict. When the jurors are all ignorant and inexperienced, the system is in the same class with a lottery.

It was largely the necessity of reducing the harm that the jury system might otherwise cause which led our ancestors to adopt our peculiar rules restricting the admissibility of evidence. Our whole procedure lacks common sense. The law, first of all, sets up an ignorant tribunal of inordinate size to decide questions far beyond its capacity. Then, because the jury's ignorance is so great, the law proceeds to exclude by artificial rules whole classes of evidence and information upon which every intelligent man largely relies in the management of his private affairs. The excuse given is that otherwise the jury might unduly exaggerate the importance of the evidence thus excluded. To avoid any risk of such exaggeration this evidence is kept from the jury altogether and they are asked to decide a case on what might be called an expurgated edition of the facts, although the evidence thus arbitrarily excluded, if admitted, would often justify a verdict the exact opposite of the one actually rendered.

The rules of evidence are such an obstruction to the intelligent decision of many civil cases that prominent lawyers have advocated their total abolition. This artificial system not only leads very often to wrong results, but it is responsible for an enormous waste of time in the majority of trials by involving the court and counsel in tedious arguments as to whether various items of evidence are technically admissible — in other words, "safe" information to permit a *semi-competent* tribunal to weigh and consider. The substitution of a tribunal *entirely competent* would enable us to dispense with this discredited relic of the past. Common sense would seem to dictate that facts should be determined by a civil tribunal intelligent enough to draw correct inferences from every kind of available evidence to which any intelligent man would resort in seeking a private solution of the same question.

Most jury verdicts are influenced, at least in part, by considerations which have no place in the administration of justice. Some are based on ignorant preconceptions of the case, others on erroneous psychological impressions derived from unimportant occurrences in the court room or suggested by newspaper reports of the trial. Jurors are especially prone to be influenced by striking

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and spectacular exhibitions staged by counsel, such as the skillful display in the court room of hospital cots, smelling salts, superfluous crutches, and exhibitions of faked injuries such as apparently lame legs or pretended deafness. Verdicts essentially unjust are often the outcome of popular prejudices, religious intolerance, political antipathy, or neighborhood scraps. While juries are unduly hard on some human weaknesses, they are entirely too charitable toward others. For example, one of the most difficult things to prove to the satisfaction of an average jury is that a party to a transaction acted under the influence of liquor. Most jurors drink and their attitude toward the vice is apt to be liberal. In other trials jurors will hasten to agree on some verdict which does not reflect the real convictions of any one of them, in order not to miss some attractive evening engagement or because of an apprehension that they may be locked up all night. Again, one stupid or obstinate juror can delay or entirely wreck a clear case of the greatest urgency and importance, as in the classic instance where a certain foreman, on hearing the tipstaff order twelve suppers for the jury, exclaimed: "Make it eleven suppers and one bundle of hay!"

The peculiar psychology of jurymen is apt to lead them, in advance of hearing any evidence, to favor unduly that party to a litigation who is asking for something. Their chronic attitude is that of a certain Justice of the Peace who said, "If this claimant hadn't a good case, he wouldn't be here."

Juries can always afford to be very liberal. It is not *their* money they are giving away. In consequence, it often becomes the duty of the trial judge, in dealing with an excessive verdict, either to set it aside or to require the plaintiff to accept as an alternative a greatly diminished sum. The general adoption of Workmen's Compensation Laws throughout the country has imbued juries with the idea that every physical injury, however sustained, should be compensated by somebody. The defendant, being the only source of compensation in sight, easily becomes the victim.

While a strong bias exists with most juries in favor of plaintiffs, there are large classes of litigants who are held in high disfavor whenever they figure as defendants. Often the latter can only succeed by creating — rightly or wrongly — a bad flavor of some kind about the plaintiff or his case, or by attacking motives and character, or by charging the plaintiff with improper or oppressive conduct. It is generally necessary for a defendant to adopt

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the famous maxim of Napoleon: "The best defense is a strong attack." A public service corporation can rarely win a case against a reputable plaintiff unless it can produce a heavy preponderance of evidence. In a suit to recover life, fire, or accident insurance, juries will overlook the most obvious and bare-faced perjury and fraud in order to give to the insured the largest possible sum. The main question with many juries seems to be whether the defendant can spare the money better than the plaintiff can get along without it. The controlling factor in an average jury case is often as foreign to the subject as that which was said by a certain distinguished lawyer to determine most murder verdicts in his quarter of the country. He said that the main question considered was "whether the dead man ought to have gone!"

In cases involving human emotions and relationships, the verdict is usually based less on the evidence than on the feelings of a jury. A woman who is young and good-looking enjoys as great an advantage before a jury as she does in a ballroom. If she is a plaintiff, she can usually count on a verdict far in excess of the strength of her case or the ability of her attorney. Conversely, persons tainted with the blight of public prejudice are at a very great disadvantage. Wealthy young men — especially if dissipated or indisposed to work — had better stay out of court. An average stepmother, in a controversy with the children of her predecessor, stands little chance. Mothers-in-law of a certain type are at an even greater discount with juries than they are with the comic papers. Jurors are likely to visit on their heads the sins of the mothers-in-law so many of them are supporting at home.

Again, the jury system is wasteful of time, money, and human energy. The cost to the State of maintaining the civil courts for a single day often exceeds the entire amount of the verdicts rendered. On one occasion, when reading the morning paper, the writer glanced over the verdicts rendered the day before in the local courts. They were eleven in number and in the aggregate came to less than $5000. This meagre result required the services of ten judges, at least thirty tipstaves and court stenographers, 132 jurymen on duty, 368 jurymen present and not needed, and at least 22 lawyers. The witnesses subpœnaed for the 150 cases on the list that day possibly exceeded six hundred. In other words, in order to accomplish this petty result, about eleven hundred persons lost the whole or a large portion of a day. Three or four judges could have decided these eleven cases, with equal or better

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results, and without loss of time to anyone except court officers and the counsel and witnesses directly concerned.

It is not difficult, therefore, to understand why important men whose time is worth something invariably beg off from jury service. To condemn such a man to spend a whole month in so futile a manner is a waste not only of his time, but his energy and brains. A business magnate can't afford to abandon transactions which may involve millions to help a group of incompetent men peddle out an imperfect form of justice in a series of petty disputes. In many instances he could better afford to pay the claims.

On the other hand, the shortness of the term of jury service, which is rarely more than a month, involves a waste to the community, in that by the time raw and inexperienced juries have had a chance to become educated somewhat in the character of their duties and to acquire a little practical sense, their term of service has expired. The waste of time incurred by litigants and witnesses is further augmented by constantly recurring delays and continuances in the trial of cases, and by repeated setting aside of unjust verdicts and resulting retrials, with a repetition of the previous waste of time and with constantly increasing expense. An intelligent defendant, even though he has the best kind of defense, can well afford to pay a substantial sum in settlement of a case as an insurance against the uncertain vagaries of an average jury. It is easy to understand why, in England, voluntary commercial and trade tribunals, composed of men of standing in their respective industries, have so largely supplanted courts and juries in the determination of manufacturing and commercial disputes. These litigants demand a tribunal possessing some qualifications for the difficult task imposed upon it.

A generation ago one of our leading appellate courts showed its opinion of the jury system very plainly when it said, in deciding a celebrated case, that the trial court ought to have set aside a second wrongful verdict, because,

> When juries are so palpably regardless of their duty and of the sanctity of their oaths that they permit their verdicts to be rendered in obedience to their prejudices or their sympathies, as is too often the case, the trial court should deal with them in a firm and decisive manner and should reject their erroneous verdicts without the least hesitation or delay. Otherwise the administration of justice is brought into public contempt and dishonor.

Such language suggests the question, "Why maintain an institution which so often has this effect upon the administration of justice?"

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It is another grave defect of the jury system that it involves the administration of justice by a "double-headed" tribunal. In a trial the judge decides questions of law and the jury questions of fact. In many cases the really essential facts are not disputed and it then becomes the duty of the judge to apply the law and decide the case, while the jury, occupying the humiliating position of idle and useless listeners, have no function whatever. In a still larger class of cases much time is wasted in endless wrangles between counsel, or between counsel and the judge, as to whether there is enough evidence to justify him in permitting the jury to render any verdict. Appellate tribunals are constantly called upon to expend their time in deciding whether trial judges took too much upon themselves by usurping the functions of the jury.

In cases where the trial judge decides to submit the evidence, lengthy "charges" are often made and answers given to verbose, meticulous, and complicated "points" submitted by counsel for the court's approval or disapproval, many of which would confuse even a trained legal mind. How, then, can a group of minds utterly untrained in that kind of thought and in the subject matter have the faintest comprehension of these fine distinctions? Such facts illustrate the impossible situation brought about through attempting to settle complicated cases by the concurrent action of *two* tribunals. It would seem to be only common sense to entrust the decision of civil cases to a single tribunal intelligent enough to understand its functions without being told.

The jury system not only fails to administer exact justice, but in our day it has had a most injurious effect upon the American bar. In our large cities ordinary jury cases are no longer tried, as in early days, by lawyers of prominence. Leaders of the bar, like leaders in industry, can't and won't waste their time in futile efforts to educate successive groups of incompetent jurors, by kindergarten methods, in unfamiliar subjects. They know the colossal waste of time, the futility of the entire thing, the consumption of whole days or weeks in going through an idle form of which the outcome is quite likely to be a triumph of ignorance and prejudice over reason and logic. In our large cities accident cases now exceed all others in number. Many of them are in the hands of commercially-minded attorneys who employ agents and "runners" to chase ambulances, to solicit business in hospitals, to hire witnesses to establish imaginary facts, and to bribe physicians with fees dependent upon the extent to which a huge verdict

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can be built up by gross exaggeration of physical injuries. Average jurymen seem to be only too willing to be deceived by such knavery. While excessive verdicts are often set aside by trial judges or appellate courts, there is a point beyond which redress for the resulting injury cannot be had while the jury system remains in existence, inasmuch as it is the jury and not the court which must ultimately decide all issues of fact.

The legislatures of many States have sought to afford a means of escape from the evils of the jury system by enacting laws providing in many instances for the substitution of auditors, masters, and referees, either by court action or by agreement of the parties. Fair-minded litigants who really want justice often resort voluntarily to such tribunals; but a litigant who is dubious about his case, or who wants "all the traffic will bear," is apt to insist on the "inalienable right of freemen" to invoke the prejudices of a jury. But, conceding that the jury system has grave demerits, is there any permanent system which will work better? Perhaps an answer to this question can be found in two personal experiences.

It once fell to the lot of the writer to be counsel in three cases between the same parties, involving that most difficult of all questions — whether certain machinery was up to standard and suitable for the purpose intended. If tried before three separate juries, with endless wrangles over the propriety of questions and the admissibility of evidence, with tedious motions and arguments addressed to the court, and followed by vain efforts to explain to these juries what the cases were all about, they would have consumed at least two weeks of the court's time. The ultimate result would have meant nothing intelligent, because the questions at issue were too technical for a jury to understand. The course actually followed was to refer the three cases to a member of our bar who was also a distinguished engineer. Counsel agreed that the clumsy and meticulous rules of evidence enforced in jury trials had no place before an intelligent tribunal and that any evidence deemed germane by either side should be received. The cases were tried jointly and the entire proceeding consumed less than five hours of a single day. Speeches were omitted upon the ground that our experienced referee, having heard the evidence, knew more about the case than either of the lawyers. Ten days later he rendered an elaborate, written decision which was cheerfully acquiesced in by all parties. They felt that their cases had received intelligent treatment.

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On another occasion the writer represented a manufacturer of organs in a suit against a large moving picture corporation. An offer was made to submit the plaintiff's case to the decision of the chairman of the defendant's board of directors who, although not a lawyer, was a financial magnate in whose absolute fairness everyone concerned had confidence. The defendant's attorney, now an eminent judge, accepted the suggestion, agreed also to scrap the rules of evidence, dispense with needless motions and arguments, and hasten the case to a conclusion. Short meetings were held on five or six afternoons. All the evidence either side thought relevant was received and briefly commented on, and a few days later the referee rendered his decision. It was nine-tenths against his own corporation, but his associates felt that their defense had been passed on by an intelligent mind.

Now contrast such a mode of ascertaining facts and settling disputes with the wasteful methods and grotesque products of the jury system. Contrast also the admirable results secured in our courts of equity, where a single judge decides all questions both of law and fact. For general criticism the writer is prompted to suggest, as a substitute for the jury system in civil cases, a tribunal resembling in some respects the German *Kammer für Handelssachen*, which is a court for the decision of commercial cases and the only civil court in Germany in which the judge is assisted by laymen. By constitutional amendment or act of the legislature, as the fundamental law of each State might require, it would seem desirable to provide for the hearing and decision of all civil claims not exceeding $1000 by a judge sitting alone. For the determination of every dispute exceeding that limit it should be made the duty of the judge to appoint two associates to assist him in each individual trial, one a junior member of the bar and the other a substantial business man having personal knowledge and experience such as would enable him to decide that particular case intelligently. Prompt decisions should be required by law. Findings of an elaborate character and verbose legal opinions should be discouraged.

Such a tribunal could be safely trusted to hear any evidence not obviously irrelevant which either party deemed germane. From such a tribunal litigants would no longer depart with a rankling sense of unjust treatment or of having been the victims of ignorance and prejudice. Before such a tribunal there would be no room for deceptive practices or spectacular antics on the part of at-

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torneys. Cases would be decided on the evidence, not on the relative ingenuity of opposing counsel. Such a tribunal would avoid the repeated postponements of a trial, involving, as that does, preparation many times instead of only once and the subjection of numerous witnesses to a constantly recurring interference with their pursuits before they ever have a chance to tell what they know. Since few cases would last more than a single day, the cleverest business men, who naturally detest prolonged and futile jury service, would willingly assist in the work of dispensing scientific justice. Such a tribunal would be incorruptible, whereas a tribunal of twelve jurymen has the great disadvantage of presenting twelve opportunities for corruption. Under the rule which requires a jury to be unanimous, justice is often defeated by an improper approach to a single juror, of which there has lately been an illustration of national notoriety.

The decisions of such a court would be based on accurate knowledge and the mature inferences of educated minds, and they would be accorded proportionate respect. To the junior legal members of such a tribunal would accrue a marvelous training in the law, which might restore the ancient traditions of the profession and revive once more in our courts the memorable days of Daniel Webster and Rufus Choate.

II—THE JURY AND DEMOCRACY

F. Lyman Windolph

DOUBTLESS the way to administer justice most efficiently would be to abolish trial by jury and put a Solomon in every court room; just as the way to govern the world most efficiently would be to abolish democracy and put a Marcus Aurelius in every capital. The supply of supermen is, however, never equal to the demand for them; nor is the supply itself either constant or predictable. Every Solomon is as likely as not to be followed by a Rehoboam, and every Marcus Aurelius by a Commodus. These considerations suggest that before proceeding to make an end of the jury system in either criminal or civil cases we ought to ask ourselves not so much whether trial by jury is

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good or bad in an absolute sense, as whether something reasonably more promising has been offered to replace it.

My distinguished opponent — whose argument is concerned only with the jury system in civil cases — fairly assumes the burden thus resting upon him. He proposes that causes of lesser importance be determined by a single judge and those of greater importance by a tribunal consisting of a judge, a junior member of the bar, and "a substantial business man." He asserts that such a tribunal would be "incorruptible," as contrasted with one "presenting twelve opportunities for corruption," and he calls attention to a recent "illustration of national notoriety" in which justice was defeated "by an improper approach to a single juror." Since, in the case referred to, the juror was bribed, if at all, by the agents of "a substantial business man," the logic of the illustration is, to say the least, equivocal. Indeed, the obvious answer to the whole proposal is that if experience has shown that some juries are stupid, capricious, and corrupt, it has likewise shown that some judges (as well as some lawyers and business men) are stupid, capricious, and corrupt too. Moreover, in the nature of things, no jury can render more than one bad verdict; whereas a bad judge may, and usually does, remain in authority for life or for a long term of years.

A further answer is that some incorruptible judges are nevertheless arrogant, unduly technical in their decisions, unfeeling, and dilatory — as juries never are. No jurists in English history were more justly celebrated for learning than the Chancellors; but it was in the High Court of Chancery — where juries never sat — that men, seeing only ruined and disappointed suitors and undetermined causes, cried out bitterly for law and trial by jury, if what they saw were equity.

But we who are heirs to the political traditions of England and of those English rebels who became the first citizens of the United States, must, unless we reject our heritage, dismiss as inconclusive any argument against the jury system which is based on efficiency alone. We must dismiss any such argument because trial by jury is part and parcel of that sort of democracy which, as all authorities agree, constitutes the special and peculiar contribution of the Anglo-Saxon race to the political wisdom of the world. Its underlying principle is that the sanctity of law arises not from the fiat of any potentate, however benevolent, nor from the vote of any majority, however enlightened, but from the

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common judgment and consent of the whole body of the people. This principle is reiterated in nearly all our great state papers, and in the practical application of it the jury system plays, and has always played, a vital and important part. In other words, no consideration of trial by jury can be adequate which ignores its political and legislative significance and which seeks to reduce it to a mere method of finding facts, which the passion for logic of judges and lawyers has tried to make it.

When I came to the bar nearly twenty years ago, there was no class of cases in which juries were so much criticized as in suits for damages arising from industrial accidents. The courts had laid down a variety of rules as to the master's liability in such cases. They had held, of course, that the injured servant or employee could not recover if he had been guilty of contributory negligence. They had likewise held that, under certain circumstances, the servant had "assumed the risks" of his employment, and that, even though no act or omission on his part had contributed to his injury, he was not entitled to damages if his injury resulted from the negligence of a fellow servant. These determinations constituted what is sometimes called "judge-made law." (I am not using the words in a derogatory sense; here, as always, the question is: "Is it really law?")

At all events, the juries, if they got a chance to decide the cases at all, invariably found in favor of the plaintiffs, no matter what the evidence was; and it was widely stated that the jury system had broken down in the determination of causes brought by injured employees against their employers, and that some change in the law would have to be made. The latter part of this conclusion, at least, was sound, though belated; and the result was that the legislatures of a large majority of the States adopted Workmen's Compensation Laws providing for the care and partial reimbursement of injured employees, irrespective of the nature of the accidents in which they were injured. This is exactly the principle which juries had followed as best they could, from the very beginning of the industrial age. Nor are Workmen's Compensation Laws in any objectionable sense class legislation, because they have proved quite as satisfactory to employers as to employees; and I doubt whether any respectable number of employers can be found who would return to the old system.*

*I am indebted for this excellent illustration, as well as for other help in the preparation of this paper, to "The Present-Day Jury System: a Defense," an article by Mr. Connor Hall which appeared in the *American Bar Association Journal* for February, 1924.

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You may, if you please, dismiss this entire illustration by saying that it proves merely that juries in a given sort of case consistently violated their oaths for almost a hundred years. In the light of history this seems to me a foolish saying. Or you may say — as I think, wisely — that in this particular connection it took our formal legislative machinery almost a hundred years to respond to the popular will, and that the fact that justice was done in the end is to be attributed very largely to the results of trial by jury.

For justice, in the sense in which the law seeks to enforce it and in the sense in which I am using the word, is not something conceived by *a priori* reasoning in the mind of a philosopher. Though it be true, as Spinoza said, that God is beyond our little good and evil, yet it is precisely with this human good and evil that the administration of justice is chiefly concerned. Still less is justice to be defined by the technical rules and refinements of judges and lawyers. Almost numberless legislative enactments — of which one of the earliest is the Statute of 12, Edward I, and one of the latest, the Act of Congress of February 26, 1919 — declare that in the decision of cases the courts shall not be bound by form or method, but shall give judgment according to the very right of the cause, and bear witness to the passionate insistence with which the men of our race have protested, generation after generation, against inherent professional formalism.

Justice is rather, for every man, the product of the changing definitions of his own race and age. It must assert social and economic convictions as they are, not as they might be, though arguably better so. It must hold him who steals my purse to be a criminal, though posterity may perhaps conclude — as I think it will not — that communism is preferable to private property. It proclaimed the eight-hour day yesterday, though a ten-hour day may have been fair on the day before, and though a six-hour day may be fair to-morrow. To speak wisely and well, it must, in brief, speak humanly and in the present tense. This is the only justice worth having in this world, and the only way to make it better is by the slow process of breeding better men.

My opponent has said that if each of two litigants had a just claim to $5000, and a jury were to give $2000 to one and $8000 to the other, the kind of justice administered would be both "average" and "rough." No one will dissent from this conclusion; but the language used implies a determination of the very point

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which is in issue in every lawsuit: What constitutes *a just claim* to recover a judgment for money or some other relief against the defendant?

Suppose that a petty tradesman negligently injures, on successive days and in an identical manner, a millionaire and an unskilled laborer, and that both injured parties bring suits for damages. Shall the millionaire and the laborer be awarded like amounts because they have sustained like injuries? Shall the millionaire receive more than the laborer because his time is of greater value? Shall the laborer receive more than the millionaire because the loss of his time has inflicted upon him a relatively greater hardship? Finally, shall the financial situation of the defendant be considered in determining the several amounts which he must be called upon to pay? These are questions concerning which not all candid and intelligent men will agree, and on which a professional opinion is intrinsically no more representative or persuasive than any other. It is precisely the merit of trial by jury that it brings into our court rooms, from day to day, the simple though deliberate views of those not technically trained as to what justice really is.

A short time ago I tried a case arising from a collision between a trolley car and an automobile in which the injured plaintiff had been riding on a pleasure trip as an invited guest. The circumstances of the collision were such as to show clearly that the motorman of the trolley car had been entirely blameless, and accordingly, the plaintiff had brought suit against his host — the driver of the automobile — to recover the damages which he had sustained. These damages were admitted to the amount of a little over three hundred dollars and were practically undisputed to a considerably larger amount. The trial judge charged the jury in accordance with the decisions of the Supreme Court of my State — which are in harmony on this point with those of most of the other States — that the plaintiff was entitled to recover if he had been injured by negligent conduct on the part of the defendant — conduct which he had had no reason to anticipate and against which he had had no opportunity to protest.

In the light of what actually happened, I am disposed to think that if unanimity on the part of the jury had not been required, the verdict would have been rendered in less than half an hour and would have been in favor of the plaintiff for some sum that would have indicated no more than a disagreement and a result-

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ing compromise. As it was, the jury was out for more than five hours, and, having come at last to a general opinion in the way in which Quakers are said to arrive at "the sense of the meeting," rendered a verdict in favor of the plaintiff for one dollar. Anyone but a fool knows what such a verdict means. It means that although, in the particular case concerned, the plaintiff was injured exactly as alleged by the negligence of the defendant, it is nevertheless not seemly that a guest should sue his host. Though it so happens that I tried the case in question on behalf of the plaintiff, I am glad to think that I have in me enough of the common mind — I would say common sense, but the phrase has been so rubbed as to lose its cutting edge — to feel that this conclusion is good law in the deepest sense of the words, whatever the courts may say.

I might very well stop here and rest my defense of the jury system upon the propositions that trial by jury is an essential part of Anglo-Saxon democracy, and that, for practical purposes, common justice is preferable to justice of any other sort — even to that which might be held on theoretical grounds to be actually "more just." It is worth mentioning in this connection that the British in Afghanistan, and elsewhere in the East, have found it necessary to accept the latter of these propositions and to enforce judicially merely the custom of the country, rather than to impose on Eastern peoples the alien, though perhaps higher, standards of the West.

Still, the charge is often made that jurors are generally incompetent, by reason of ignorance and prejudice, to decide the cases which are submitted to them; or, as the charge is sometimes put, that the jury system compels the "business magnate" to accept judgment at the hands of less than his peers. To this charge I must record my answer, though the answer is perhaps not of controlling importance in this debate. I do not believe that this charge is well-founded. In certain jurisdictions there are, of course, abuses in the selection of jurors. These abuses are in no way connected with the jury system as such. They can and ought to be remedied. Incidentally, where corrupt politicians fill the jury wheel with ward-heelers, it is entirely likely that the judges whom these same politicians place upon the bench are no better than they should be.

But in respect to the fundamentals of life, liberty, and property, I do not believe that the average business man is wiser than the

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average farmer or carpenter. He is better educated in the formal sense, and superficially more polished. He has a somewhat better knowledge of current events and a more nearly adequate understanding of financial matters. On the other hand, he has spent less hours alone, and accordingly has thought less for himself and is much more easily influenced by stereotypes and clichés. He is less simple and natural and, in my opinion, his prejudices are at least as deeply rooted. These are general observations of the widest sort, and are, of course, without value unless clearly understood to be such. As among themselves, "business magnates" may, if they please, submit their difficulties to arbitration. I can only say that in a matter of the last moment to myself, I had rather submit the issue to an "impartial jury of the vicinage."

Next month, a debate on the criminal jury between Edgar Allan Poe and Martin W. Littleton

CHARGING THE JURY
Cartoon by Edmund Duffy

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CONRAD HOOR had made a little go a long way and no one had helped Conrad Hoor. When he was a young man, he came from Holland. He was squat, with small twinkly eyes and a twist to his mouth that mocked at fate and that ineptitude of other men who knuckled to it. Conrad Hoor felt superior. He felt unconquered even as a boy. He stood before a blackboard on Sixth Avenue in New York on his first bitter cold American day, when the snow was falling and the pavement was slippery, and neither the day nor the thousands of dark, hurrying forms cared a hoot about Conrad Hoor. The blackboards listed jobs to be had in the West. By morning he was on a train to a farm in South Dakota. He worked as a hired man for fifteen dollars a month and keep. He liked farming that stubborn land.

He found himself a wife out of an immigrant Bohemian family that lived in a drawside cave. The girl, Tessie, was the oldest of nine, fair and healthy. She would work and cost him little. She trembled when he took her in his strong arms one evening when they met in the pasture, where he allowed her to graze her one cow. His eyes shone, though he did not love her. He knew that she would always yield and cling, as she yielded and clung to him at that moment — and that when he was used to her body and her gentle ways and fed up with them, he could say: "Well, who were you before you married me? Living like an animal till I pulled you out. So whatever you are, I, Conrad Hoor, made you." And he could always get work out of her.

He took her to Kansas and mortgaged himself up to his neck to get land, although it was cheap in those days. It was in the '80's,

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at the end of that second great wave of migration when many settlers of Kansas, Indiana, and Illinois were still climbing aboard the covered wagons with bag and baggage, born and unborn, and turning their faces to the West.

He had much work out of Tessie, and two children — one a pale "dude" son for whom he had no respect and whose vitality he crushed with mockery. A boy who was all for books and a white-collar job in the city, and who was needed on the farm. And a daughter, tall and fiery and dark, the Spanish type so often cropping out in the Dutch strain. He preferred her and fought her, made her knuckle down. He knew she was in love with John Collins, the son of a grocer from Topeka. One of John's ancestors, away back, had founded the first log-cabin grocery at the end of a trail around which Topeka arose. John's father and John made out in spite of the chain-store competition, running the kind of grocery that opens at six in the morning if a forgetful wife has overlooked buying her eggs the day before; where you know they won't cheat the children — for they know them — and where the local men hang around of evenings talking politics and affairs of the day and women.

Conrad Hoor knew that John wanted to take his daughter Mayme into town next winter, but he had no intention of letting her go. She was needed for the farm, too. John had offered to come out and serve as a hand without pay this harvest, and Conrad had said: "Let him come!" His eyes twinkled. He would make John Collins work for nothing and then show him he couldn't have his daughter.

He walked out of his house this seething July morning between the gleaming cottonwoods where the leaves hung limp under the dust — submissive like Conrad Hoor's wife, tired trees. His house needed a coat of paint, but he couldn't waste money on such nonsense. The house stood without a coat of paint and you got the same work out of it. His wife needed a new dress, too, and so did his daughter. But they didn't get them. You got work just the same without.

"Well," he called to the hired man, "What's the matter? Why don't you start the truck?"

The Ford was supposed to have set out two hours before, right after sun-up, to fetch the hands from Preston. But Izzy, the hired man, had been tinkering with it, cursing away in the garage. He

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scowled and spat as Conrad came. Izzy turned on him sullenly.

"Why don't I start her? You make me laugh. Motor's tired out — gears rotted — brakes in such a state she has no right on the road at all. Liable to kill myself and the hands too and smash into anything. But that's you. Spend five hundred dollars in the last five years to patch up this junk; then what you got's no good. For four hundred you could get another car. But that's you all right."

"Shut up!" shouted Conrad Hoor, his small eyes bright and his brown hands waving. "I've heard enough out of you. I'm boss on this farm. If I say fix this car, it's your job to fix her so she'll run. I don't ask no help in running the farm. If you don't like your job — you can git!"

"All right," muttered the hired man, flushing darkly as he climbed into the front seat. "That suits me. I'll take this car to Preston and then I'll git. I'm only doin' it 'cause I know damn well you'll have Mayme doin' it, though she's up to her ears in work in the kitchen — or Mark, when he comes back from sweatin' on a heavy nag from buyin' your bacon and groceries back to the village."

He rammed the gears and the dilapidated Ford coughed and jerked away.

Conrad turned on his heel and walked back to the house.

When he entered the kitchen, his daughter Mayme, red in the face from bending over the stove, flashed him her bold, defiant look.

"You'll be nice to John," she called over her shoulder as she laid the platters of fruits, cereals, rolls, and preserves on the long table covered with white oilcloth and laid for twenty. "None o' your tricks."

Conrad Hoor chuckled. He didn't answer her. He went over to where her mother was opening the brown, stone egg crock. He stood over her. Her hands shook as she took out about forty eggs and piled them in a bowl, handy to take out and break and fry in a hurry when she heard the rattling of the truck.

He said nothing till she was all finished selecting them. Then he put his hands on his hips and said ironically, "What you tryin' to do, Tessie? Run a health farm for hands? Send 'em home to their mothers fattened up at my expense? This has been a pretty hard year. Oil's gone up. Had to pay more on the thresher."

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"Well, all the same," she said, beginning to slice a ham into strips, "you gotta feed the hands."

"Sure." He nodded. "Sure you gotta feed 'em. And what's all that on the table? That's grub, ain't it? This is a sweatin' hot day. You don't want 'em to drop in the fields. One egg is plenty on a day like this. Ain't no use, Tessie, to answer back."

He turned, slammed the screen door behind him and stood out on his porch. He folded his arms with the blue shirt sleeves rolled up over the hard, lumpy, brown muscles. The locusts sang and the larks purled and an occasional liquid note of thrushes hidden in the grain rose up, refreshing the hot air. A breeze came walking through the grass lands with a crooning tune and bent over Conrad's grain fields, caressing the blond hair of the over-ripe wheat — waiting, whispering. The touch of the wind on the pale silk was like a lover's touch. The hard man on the back porch understood. He loved his land, if he loved anything. It was beautiful and yielded. But not without a struggle. He fought for the land and he fought it.

He looked at his barn where the hayloft was stacked and where tired men would sleep that night. The bins and granaries were all prepared. The thresher was fit and oiled. He squinted at the sky. It was mackerel — a clean, blue sky flecked all over with little, foamy, white wisps. In the East there was a tiny sepia fist of nimbus formation. But he didn't think much of it. It was true that some of the papers had spoken of possible rains to come. But the farmland papers were always nervous; always there was the scare of the wet. Conrad had never been wrong in his prophecies. He was pretty sure that the harvest would hold clear. And sure of a bumper crop. Not a Hessian fly nor a chinch bug on his place. He was contented. Content with himself and conditions. So he was content with God as well. For Conrad's God was himself and conditions.

At that moment he heard the choky scrape of the truck and the men's voices floating near. The car had brought them safely. The fool, Izzy, was wrong again in his fears. Tessie, Mayme, Mark, Izzy — the whole bunch of them — they were always scared. Only he, Conrad, had a clear head; he knew what it was all about.

A few minutes later, when the men had washed up in the milk shed and were laughing and talking over their grub, or piling in

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silently, with shoveling arms, Conrad stood by watching with amused, twinkly eyes. He had had a little breakfast and he never ate much in harvest time. He took stock of John Collins, with his great blue-shirted shoulders, and his daughter, Mayme, bending over him and plying him with the best. She was a shameless one, was Mayme. He liked her for it, but it wouldn't get her anywhere.

Then Tessie, with a frightened air, and Mayme, with her proud and fearless gait, brought in the platters full of eggs, bordered with high-piled bacon, shining with fat and darkling with lean. There were just twenty eggs. John Collins was the first to notice that and he called loudly with a jolly laugh: "You'll have to hand us another helpin' there, Mother. One egg ain't nothin' for a growin' boy." Then the other men roared and guffawed.

"The hell you say, Collins! Why sure enough if it ain't!"

"Looks like the Hoor's hens sure must of had paralysis!"

"Just a little joke, ain't it, Ma? Servin' 'em in courses?"

"A one-aig stand! 'At even beats the army."

"Lady, cough up that other aig!"

The tenor of their rebukes was jesting and good-natured. But Tessie stood there, white with terror. Her fingers chewed her apron. Both she and Mayme looked around for Conrad Hoor. But he wasn't in sight.

"Boys, I'd like to give you another aig," Tessie quavered. "But I can't do nothin' without my husband's orders."

Even Mayme went silent. She had no desire to flout the old man when she had that situation of John Collins on her hands. So Mayme didn't volunteer to cook more eggs.

Now some of the men began to grumble, to grow surly. There were a few hobos in the crowd with rough, bluish growth on their faces whom Conrad Hoor had jewed into working for a hand-out and a bed. They were spoiling for a fight and sensed a first-rate chance. Most of them, though, were the regular floating laborer type that bears the brunt of the country's seeding and harvests; working northwest from the early harvest of Oklahoma, on to Missouri and up Red River way till the season ends at last in Manitoba. Hard-working nomads, drifters but not drones, possessed of few ambitions and few vices.

John Collins tried to make light of Conrad's trick on account of his girl. He slapped the two broad backs on either side of him.

"Come on, buddies! Ain't gonna fuss with these ladies for a durned aig! Fight it out with the old man out to the fields!"

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They found him there — an island in the heavy, hot, sweet sea of wheat, ripe but not dead ripe; in no danger of shattering. Conrad knew how to get the most from his land. His six hundred acres had been good soil when they came to him. Now they were fecund soil, well fertilized, loose, clayey, bearing him a fine thin bran that made delicate flour. He knew how to fight the frosts, how to drain it well after the snows, how to roll just enough before sowing the winter seed. And now as he stood with the little white and blue butterflies fluttering round his great grain-colored hat, Conrad Hoor was dreaming.

He was dreaming of the huge bonanza farm up Red River way, in Dakota, that he and Marty Haskins were going to own some day. The present owner, an old man, had it dirt cheap from the railroads, who had gotten it in the first place as a government grant. It was two thousand acres — two thousand golden, beckoning acres of rich wheat. No eye could see the limits of it. It was so great that men living at one end of that land might not see the men living at the other end for days; so great that horse communication would be too slow to carry messages across it. The old man who owned it didn't know values, wasn't shrewd. Conrad had screwed him down to a good bargain. He was willing to sell the whole, improvements and all — wooden buildings, sheds, workshops, stables — for twenty-five dollars an acre. Conrad Hoor and Marty Haskins might be gods over all that some day. If things went right, they would be rich. And things went right for Conrad. He knew how to sweat gain out of life, how to dominate it.

John Collins' voice sounded in his ear. Conrad turned and flicked away a little white butterfly that danced before his small, shrewd eyes.

"Well?" said Conrad.

"Well, just this, Hoor. We ain't gonna be satisfied with half rations on aigs. No eatin', no workin'. We're tellin' you that straight. It ain't no more than our rights."

Hoor's face set. So the grocer's brat was going to get impudent with him. Twenty-three, young, tall, broad-shouldered, and impudent. The faces of the other men were backing him, grinning or surly. Going to tell him where he got off — who was master on his farm? Conrad met Collins' steady blue eyes. Challenging him, eh? It wasn't simply a question of an egg. He saw there was something else in those eyes. Mayme. Power. The corners of Conrad's

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mouth twitched and his eyes flattened out as if the sun was too glaring. He answered Collins between tight lips.

"A-right," he said, "a-right. You get fed. You get your belly filled. Where's the horse teams? I don't see no carts. Where's the twine? Come on, git. Send them larks wheelin' out of my grain. Git them jack rabbits to runnin'. In four days this wheat has got to be in the thresher. What about you startin' a little harvestin' besides kickin'? I'll take care of your grub."

Then he apportioned their work; stationed two men on each reaper behind the four horses and one man to follow, binding the grain that was cut and stacked by the machine. He moved here and there, with swift eye and curt orders. The men's blue shirts turned black. Presently, above the steady rustling of the reapers, pattering rain began to fall upon the hard-breathing men, the longing earth. "Just one o' them damn little soft-water showers," shrugged Conrad Hoor. Work went right on.

That night Mayme and John Collins went off for a walk in the glistening grasses; and the "dude" son Mark also strayed off alone. Conrad Hoor's lips curled. He knew what his son was dreaming about, beating around like a fool under the stars through the night, sweet with flowers and with grain; he dreamt of the city. And he could keep right on dreaming of it too — the white-collar softie. Conrad Hoor sat apart on his back porch, smoking an old briar pipe, relaxed, hearing the men play the harmonica and sing in close harmony. His wife sat by him, shelling some peas that dropped with little thuds in the tin pot. She drooped strangely in her white dress. Once Conrad made a movement as if to touch her hand. But he got up instead and went to bed.

The next morning when the hands sat down to breakfast, Mayme and Tessie brought in the platters that bore just one egg for each. Mayme's eyes flashed, but Tessie's hands shook so that the dish would have fallen if John hadn't seized it.

He raised it high like some offering he might have been sacrificing at some ancient feast to the gods, and angrily cursed Conrad Hoor. "Look what he's tryin' to put over. The dirty sneak, the two-penny piker." Then the men began to shout and jumped on the benches and swore and brandished their arms and some began smashing the crockery. The roughnecks in the gang, who had been spoiling for a fight, had it and their eyes blazed. They hurled

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plates against the wall with a vim, like balls at a nigger's head in a county fair. It was a dripping hot day and everything that was savage in man could be ripped open like a scarcely healed wound.

Tessie cowered against the wall, holding her apron over her eyes, the immemorial woman around whom men fight and ravage. Mayme, beside the stove, stood on her toes and screamed. Perhaps something in Mayme enjoyed it all just a little.

At that moment Conrad walked in. The screen door thudded with a little plop like the air leaving a balloon. A single fly was heard buzzing against the woven bars.

Hoor laid his hat on the table and said calmly, as if inquiring if they felt the heat, "Don't you like your grub, boys?" His small eyes glittered.

The men shouted with tangled voices and John Collins took a step forward. He was a head and an inch taller than Conrad and his young eyes looked as hard as blue pebbles. His hands hung relaxed, while Conrad's left hand stirred in his pocket and the middle finger of his right moved with a cracking sound over the ball of his thumb.

"We ain't gonna work on one aig, and you may as well give in," said John. You could hear the locusts and the sleepy wheat whispering.

"Oh," said Hoor, nodding as if he were surprised. "Oh! It's an aig as was botherin' you. Well, I ain't throwin' money around. I know my job. And I'm the boss." Then suddenly he waved his hands and shouted passionately. "Git out there — you hear? I say git on them reapers. Cut that there wheat. Then to-morrow, if you done a good day's job, you kin have what you're bellyachin' for. Yesterday you slacked through your job. Hear? Git in them fields!"

Then he took his hat in his hand and slammed the door behind him. Without a backward glance, he walked down the glistening path. Little white and blue butterflies came and played around his head and the sun and air pressed down searing, aching. He heard the names shouted after him; he did not pause. He went on to his fields, his beloved. He manned a reaper and went churring down the field alone, the golden harvest falling before him, the stubble rolling out in an even ribbon behind, the stacks mounting like little golden castles in his wake. Here and there a scared jack rabbit ran, wondering at the havoc in his home that had been so safe. So the hands would come scurrying after him — like fright-

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ened jack rabbits. He smiled. They couldn't hold out. It was too late to get other harvest jobs in the neighborhood. They would see how crazy it was to fight him for an egg.

And besides, he was right. He had promised them they could have that egg if they did their work the right way to-day. He was the fighting boss. Hands — drifters — men without land or ties, they had no fight in them. Only Collins, the grocer's boy. He had fight. Conrad's mouth set in a grim, half smile. His lips trembled a little as he licked at the salt sweat, the large bitter drops that poured like tears over his eyes. He'd sure have to beat Collins. He would have liked him for a son. But not for a son-in-law. And if John had been his son, Conrad would have had to beat him anyway. He couldn't tell why; it was just so. Meanwhile the sun fried him. No, not fried; there was a peculiar wetness in its quality. It stewed him — through his leathery skin. Conrad Hoor, sixty years old, trying to reap his six hundred acres. Fighting. Squeezing the most out of his men.

At ten o'clock and again at four when the shadows began to fall purple-blue out of the cottonwood grove, his wife rode out with his lunch. He asked nothing and she told nothing. He took the lunch and she drove back.

At about half past five, Conrad Hoor burst into his back doorway and found her washing stacks of dishes piled in the sink like bold, little white islands, islands of tough white shells.

Conrad Hoor turned red.

"What's that, what's that?" he shouted. "You didn't go feed them bums — at my expense!"

He quivered so with rage that his broad shoulders shuddered.

Tessie shook her head and dropped a knife with a clang. She went on holding the rest of the silver under the spigot, pumping away with her left hand.

"No. The men sent to Preston for their own grub, Conrad."

He wanted to know who cooked it.

At first Tessie didn't want to tell. Then she said in a frightened voice, "Mayme did."

Where were they now, he wanted to know.

They had gone off to spend the evening down to Preston.

He laughed, a crackle of a laugh like a dry leaf splitting. They had gone off in his truck — John Collins and his girl and all the hands who hadn't done any work.

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"They needn't come back here," he said. "Who wants them?"

"I told them to wait till to-morrow — you'd come round," she said, rubbing the knife that had fallen.

"Oh, you told them!" She was afraid he'd strike her. But he only turned and went upstairs.

Next morning when there was exactly one egg for every hand, there was less drama than the day before. The men just quit. Headed by John Collins they had come down all ready with their bundles prepared and slung over their backs, and when Conrad came into the kitchen his eyes twinkled as if he had won something. He said as he paid them off, "Well, boys, you'll see. Just lost a lot of time fightin'. Purty hard gettin' jobs at this season of the year. You'll learn it don't pay to be stubborn."

Mark, his son, who had turned white during these proceedings, brought out the rattling and choking truck. Then Conrad Hoor said, "So long." The men piled in. It was only when Mayme appeared at the front door with her city hat of black straw and her dark blue serge suit, handing her suitcase to John, that Hoor seemed to wake up. Suddenly he realized that something different, something terrible was happening. He looked at Mayme's mother, following, crying in her apron. Tessie would do nothing to stop Mayme from going. Of course Tessie would do nothing.

Conrad Hoor came forward, flushing, without a word. He tried to wrench the suitcase out of Collins' great fist. But the suitcase did not yield. The veins rose on Conrad's face. The blood mounted hotly and spun in his head. The men were seated there craning their necks from the truck. Conrad Hoor grew purple and almost wrenched his fingers out. He puffed and struggled with the younger man. It was only as he wrestled with John Collins for that suitcase that this whole situation began to grow a little more

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real. Perhaps the sun had softened his brain — perhaps he was an old man — perhaps the scales were falling from his eyes. Conrad Hoor was being beaten for the first time — in public.

Now the sort of drunken madness in which he had been driving in the sun all the day before — all the years before — began to yield to one hard, terrible fact. His daughter was leaving him — over his impotent body. Had Conrad Hoor no power any more? Was she going — going?

He turned and shouted at his daughter for the first time. "Where are you going?"

She replied vehemently: "I'm going with John to Topeka. I'm going to marry him. I'm through with the farm and I'm through with you. I'm through with you — through with you. Do you get it?"

She went and buried her head on her mother's shoulder and the women began to weep. Conrad Hoor stood tall and straight and alone under the cottonwood tree, the woman tree. He turned to Collins and said, "Ja — you think you win. But I get you yet." He said it in a very Dutch way, as if reverting to his boyhood. But he was bewildered. He laughed as his daughter tore loose from her mother and climbed in behind her white-faced brother and drove away beside her lover, John Collins, sitting with his arm about her. Conrad Hoor walked out to the road and called through the white, stinging dust the truck kicked up, "Fools. You find how hard it is to get you jobs. — For an egg!"

Then the rattling and backfiring of the truck grew fainter. He stood a moment, pressing his hand before his eyes. Then he stamped into the kitchen and took a drink of water. His wife sat still with her arms on the table, her head on her arms.

"Never mind," he said. "Never mind. I get hands to cut the grain."

He looked out of the window. In the sweltering, sweet air the wheat waved and beckoned, like a bride, waiting, quivering. He got out the small gray Ford and drove to town.

In the evening he came back, silent. He went straight to his room. His wife sat in the misty stillness. The air was like a wet cat on her chest. She rocked to and fro on the back porch as if she had a baby in her lap. She knew there were no hands to be had.

Suddenly fingers touched her arm. At first she thought they were imagined, they were so cold. But then she saw they were real. It was her son, Mark, back from town. His breath smelt faintly of

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liquor, but his hair was slicked neatly. He wore a gray suit and a new blue tie and a blue shirt that she had never seen. She looked down at his shoes. Her hand went to her breast. She knew. She knew without his telling her.

There was a crescent moon behind the milk shed facing her and the night was sweet with rose mallow and new-cut hay and the heaviness of rich, over-ripe wheat. It was a time for young people to go out and love and live. It was a time for young people. She wanted her son to be happy.

"I can't stand it any more, Mother," he said. He dropped down on a chair next to her. "I can't stand him any more. I'm going like Mayme — but I'm going to a big city — Philadelphia or Chicago — or even New York. I want a job where I can use my head and rise. I'm not going to give my life and body and strength to a farm for him to ruin. He can't get any hands. I know he's going to ask me to cut that wheat with him. I'm going to clear out. You're going to clear out with me. Mother!"

He took her hands, but she extricated them and ran one softly over his hardened paw. "No," she said calmly. "No, I'm not going, dear, I'm not clearing out." She seemed almost to croon it to the crescent of the moon that shone over the barn. "Everybody but me — everybody — but not me."

She seemed to have gained a kind of curious, pliable strength, the strength of the willow that has bent under many winds.

He pleaded with her.

"Mother! Mother! He can't get any hands. Please! Come with me Mother. I'll take care of you."

She kissed him and patted his cheek. "It was Conrad and me in the first place. It'll be Conrad and me in the end."

She watched her son go out of the gate an hour later, between the silver white posts of the sagging gate. There was a neighbor's Ford waiting for him. He waved as it slowly rolled down the white road. She stood, waving, a white woman in a white doorway. As she mounted the stairs, she heard a door hastily close. When she came into the bedroom, Conrad lay with his face to the wall. His eyes were shut and his breathing was heavy. She knew that he had seen his son go away.

The next morning the sky was covered with a gray veil. The air seemed to weigh iron-heavy. Conrad and his wife did not speak at breakfast. Occasionally he laughed and his eyes twinkled as if

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there were some joke. "Well," he said, laying his heavy hand on her shoulder, "it's going to rain. But we're going to beat the rain. You and me, we're going to reap that field as far as we can, Tessie. We're going to save as much as we can from the rain."

She nodded, hastily stacked the dishes, put up some lunch, and followed him down the back steps and out to the fields. He walked with a heavy, steady tramp that fell soft on the wilting grass. Occasionally he squinted at the sky and laughed out loud. He hitched a horse team and mounted to his seat on the reaper and drove clackety-clack out to the cleared space where he had left off two days before. Beside the slim, cropped, pale aisle, dotted with stacks, the gold forest of heady smelling grain stood motionless. No breeze was stirring. The larks wheeled up and around and around, nervous, scenting the coming rain. Behind the rattling reaper, patient, bending, straightening, bending, moved Tessie Hoor, binding the stacks, pitching them into a cart with great gaspy efforts that seemed to wrench her thin arms out of their sockets. There was no sun, but the curious burning silver light glared in her eyes.

All you could hear was the purl of the larks and the occasional shuddering of the horses, or Conrad Hoor shouting at his team and the steady whir of the machine.

At about two o'clock the heat lightnings began to wince. First in brief twitches. Then in swift zigzags, followed by the nearing snarl of thunder. The snarl became like the beating of great drums and then the lightning usurped the whole sky like giant sheets of tin flung across it with a deafening crash and swiftly withdrawn; and then the music of the rain began to fall. Rain, gentle, sweet-smelling, sucked into a million pores of the earth, bringing sour mildew to the grain.

In the thick, torrential downpour between the fitful claps of thunder, when in the sudden weird light all things seemed to become realer than life and nearer together, Conrad Hoor's churring reaper turned to silver, the bending and upturned face of Tessie Hoor, following, was like a moonstone, her blue dress was pasted to her body and her tan shoes were as brown as the earth. All over her the rain merged with the sweat. Her breathing became alternately labored and faint. The path behind the reaper was no longer even. As the clanking machine turned a corner, the old man swayed.

Now and then he looked back at his wife. After about half an

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hour in the driving rain, with a smart wind beating them from the east, he called back to her, "Ye better quit."

Then, and then only, she crawled back to the house and pulled off her clothes; but before she could remove her last dripping undergarment, she had fallen on the bed, inert. Presently, in two hours or so, she came to, by herself. She was used to doing things by herself. She closed all the windows in the house, shook her head at the damage done by the storm, heated a tub, bathed herself, climbed into dry things, and began to cook soup. Even through the closed windows she could hear the solitary reaper buzzing like the noise of a small fly against tight wires. A single one of those reapers under the most favorable conditions could cut fifteen acres a day.

At six o'clock he had not returned. At seven, when it was nearly black, she heard him dumping the stacks at the thresher.

Then he came staggering in. His face was as seamed with lines as if a knife had carved them lastingly into wood. His eyes sat back in their sockets and black pouches hung under them. The whites were traversed by little vivid red lines. His lips were bloated. His hair streamed over his face and a pool gathered about the blistered, mud-banked clods of his feet. He held onto the door jamb and swayed in the doorway. The muscles stood out on his brown, hard arms.

"You got supper most ready?" was all he asked.

"Yes, and I got dry clothes for you upstairs on the bed."

She followed him up and handed him a jar of goose fat for his ruined hands. As she walked down, her footsteps reëchoed. It was lonely without the children.

He sat at the kitchen table as she hauled down a bacon from the shelf. Her arms hurt so she could have screamed as she sliced, but she did not scream. Outside the rain beat and howled in the wind. The song of the ruined grain was drowned.

Gone the harvest. Gone the labor. Gone the dream. Gone the first-born, the gentle son. Gone the daughter of her flesh — gone to the city. Her hand was stilled as she held the knife over the bacon — lean strips, fat strips. She looked over at Conrad Hoor.

He looked back from where he sat at the table, with his chair facing her, his pipe in the left side of his mouth. His hard eyes cried. There was in them a kind of silent, frightened plea. "You and me. You and me."

She laid down the knife. He rose and slouched over to her. The

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rain beat outside and the man and the woman came close. His arm encircled her waist; she laid her head on his shoulder. They stood so. He patted her shoulder blades. His lips articulated, but no word came. Then he said, "Gotta begin again — fight — you and me, Tessie."

"Yes." She stroked his arm like the hair of a child. "Yes," she half crooned, "yes, yes."

Then he straightened. He looked into her eyes. He said, "No, Tessie, leave me. You go too, Tessie."

"No," she said, "No, no, Conrad. I ain't gonna leave you." Her hands sought his. He clasped them till they ached. He stood breathing hard. Her heart ached too, swelling with something like joy. He needed her. For the first time in her life. Her children were gone. His body touched her breast, close. He was her children.

For a minute they stood so. Then he dropped her hands and went back to the table, put his pipe in his mouth, sat down and watched as the slices of bacon fell.

She turned to the yellow crock and reached for the eggs. The pan stood ready. Conrad leaned forward.

"Here!" he called, "I ain't got no appetite. I want somethin' hot, but I don't want all that food. Gimme the soup and put that stuff away. No use a-wastin' all that grub."

GREEN COAT

THIS green coat flung across the chair
Tells me this much of you —
Warm veins, quick hands, all youth to spare,
And reckless things to do.

The aged smooth their clothes and spread
Them gently, one by one,
Fold them away quite spent and dead,
Or hang them in the sun.

These empty sleeves that twist and strive,
Lines that deny repose,
Are warmer and as much alive
As some men in their clothes.

— *Hortense Flexner*

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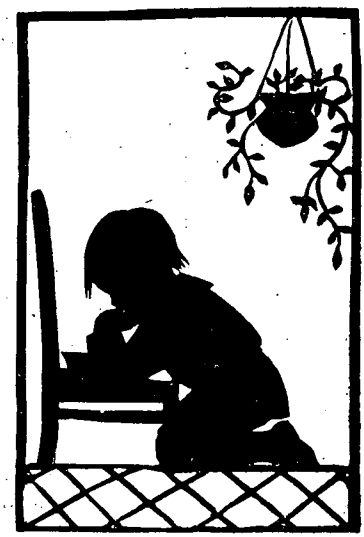
POEMS ABOUT PETER

· LYSBETH BOYD BORIE ·

SCISSOR-CUTS BY LISL HUMMEL



ONCE UPON A TIME

The words I like to hear the most
Are "Once Upon A Time,"
It doesn't matter what comes after
"Once Upon A Time."

I don't care if it's just that silly
"Fe, Fi, Fo, and Fum,"
Or if it ends up scoldy — "Only
Babies suck their thumb!"

I don't care if it's just about
That big old father bear
And how he said, so growly,
"Who's been sitting on my chair?"

The words I like to hear the most
Are "Once Upon A Time."
It doesn't matter what comes after
"Once Upon A Time."

And so I say it sort of slow
And sort of make it rhyme,
Just, "Once-upona-once-upona-
Once — upona — time!"

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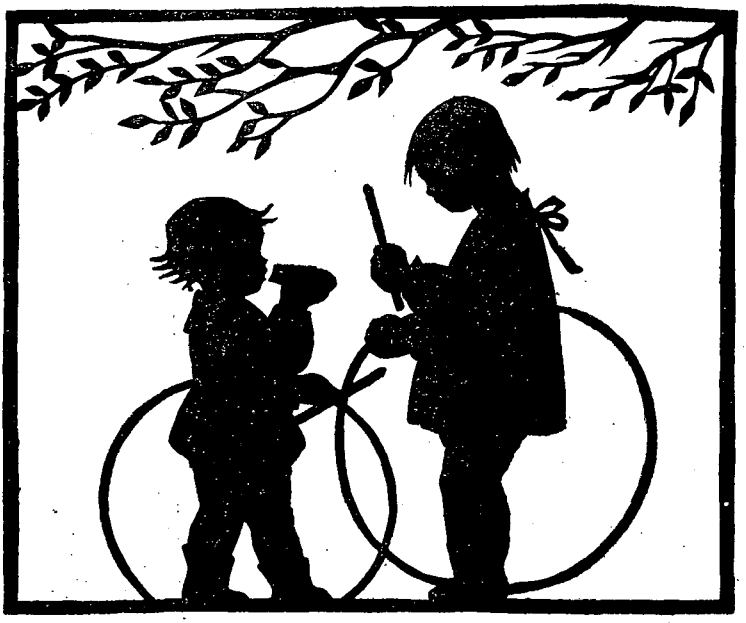

CRUSTS

Now why should Daddy grow so tall
Who never eats his crusts at all?

And why should Uncle Laurie be
Almost as very short as me,

When he eats up the blackest crust
Without a person saying "must"?

I think there must be something wrong
About "crusts make boys big and strong,"

'Cause why should Daddy grow so tall
And Uncle Laurie stay so small?

So, anyhow, I think I'll just
Stay short and give up eating crust.

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ONLY JUST ME

I wouldn't mind
Measles
And
I wouldn't mind
Mumps
'Cause
At least I'd have
Rashes
And
At least I'd have
Bumps.
But I hate
Tonsilitis
'Cause
There's nothing new
To see —
When I take off
My under
Clothes
There's only
Just
Me.

THE PETER FAMILY TREE

Peter was a Rabbitt,
And Peter was a Saint,
(The sort of little boy
That never said *Ain't!*)

Peter was a Pumpkin Eater
Couldn't keep his wife —
(Did you ever hear so many
Peters in your life?)

Cause Peter was a Pan,
And Peter was a Great,
(And how can I ever
Keep my Relatives straight!)

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WHO DO YOU SPOZE?

I know
It's so
That Brownies butter
Every butter
Cup,

But who
Do you
Spoze it could be
That pumps the pumpkins
Up?

D'YOU SEE?

I most usually wedge
Through a hole in a hedge
And I hide in the fields,
D'you see?
'Cause the golden rod
Grows taller than God
And the grasses taller
Than me.
When I lie down flat
No one knows where I'm at
And Nurse is as scared as
Can be,
'Cause nobody knows
But the crickets and crows
Whatever's become
Of me.
D'you see?
And they wouldn't tell,
Couldn't possibly tell —
Why they wouldn't *think*
Of telling
On me.

D'you see?

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THE MYTH OF THE SOUL

CLARENCE DARROW

Drawing by Johan Bull

THERE is, perhaps, no more striking example of the credulity of man than the widespread belief in immortality. This idea includes not only the belief that death is not the end of what we call life, but that personal identity involving memory persists beyond the grave. So determined is the ordinary individual to hold fast to this belief that, as a rule, he refuses to read or to think upon the subject lest it cast doubt upon his cherished dream. Of those who may chance to look at this contribution, many will do so with the determination not to be convinced, and will refuse even to consider the manifold reasons that might weaken their faith. I know that this is true, for I know the reluctance with which I long approached the subject and my firm determination not to give up my hope. Thus the myth will stand in the way of a sensible adjustment to facts.

Even many of those who claim to believe in immortality still tell themselves and others that neither side of the question is susceptible of proof. Just what can these hopeful ones believe that the word "proof" involves? The evidence against the persistence of personal consciousness is as strong as the evidence of gravitation, and much more obvious. It is as convincing and unassailable as the proof of the destruction of wood or coal by fire. If it is not certain that death ends personal identity and memory, then almost nothing that man accepts as true is susceptible of proof.

The beliefs of the race and its individuals are relics of the past. Without careful examination, no one can begin to understand how many of man's cherished opinions have no foundation in fact. The common experience of all men should teach them how easy it is to believe what they wish to accept. Experienced psychologists know perfectly well that if they desire to convince a man of some idea, they must first make him *want* to believe it. There are so many hopes, so many strong yearnings and desires attached to the

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doctrine of immortality that it is practically impossible to create in any mind the wish to be mortal. Still, in spite of strong desires, millions of people are filled with doubts and fears that will not down. After all, is it not better to look the question squarely in the face and find out whether we are harboring a delusion?

It is customary to speak of a "belief in immortality." First, then, let us see what is meant by the word "belief." If I take a train in Chicago at noon, bound for New York, I believe I will reach that city the next morning. I believe it because I have been to New York. I have read about the city, I have known many other people who have been there, and their stories are not inconsistent with any known facts in my own experience. I have even examined the time tables and I know just how I will go and how long the trip will take. In other words, when I board the train for New York, I believe I will reach that city because I have *reason* to believe it.

But if I am told that next week I shall start on a trip to Goofville; that I shall not take my body with me; that I shall stay for all eternity: can I find a single fact connected with my journey — the way I shall go, the part of me that is to go, the time of the journey, the country I shall reach, its location in space, the way I shall live there — or anything that would lead to a rational belief that I shall really make the trip? Have I ever known anyone who has made the journey and returned? If I am really to believe, I must try to get some information about all these important facts.

But people hesitate to ask questions about life after death. They do not ask, for they know that only silence comes out of the eternal darkness of endless space. If people really believed in a beautiful, happy, glorious land waiting to receive them when they died; if they believed that their friends would be waiting to meet them; if they believed that all pain and suffering would be left behind: why should they live through weeks, months, and even years of pain and torture while a cancer eats its way to the vital parts of the body? Why should one fight off death? Because he does *not* believe in any real sense: he only hopes. Everyone knows that there is no real evidence of any such state of bliss; so we are told not to search for proof. We are to accept through faith alone. But every thinking person knows that faith can only come through belief. Belief implies a condition of mind that accepts a certain idea. This condition can be brought about only by evi-

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dence. True, the evidence may be simply the unsupported statement of your grandmother; it may be wholly insufficient for reasoning men; but, good or bad, it must be enough for the believer or he could not believe.

Upon what evidence, then, are we asked to believe in immortality? There is no evidence. One is told to rely on faith, and no doubt this serves the purpose so long as one can believe blindly whatever he is told. But if there is no evidence upon which to build a positive belief in immortality, let us examine the other side of the question. Perhaps evidence can be found to support a positive conviction that immortality is a delusion.

The belief in immortality expresses itself in two different forms. On the one hand, there is a belief in the immortality of the "soul." This is sometimes interpreted to mean simply that the identity, the consciousness, the memory of the individual persists after death. On the other hand, many religious creeds have formulated a belief in "the resurrection of the body" — which is something else again. It will be necessary to examine both forms of this belief in turn.

The idea of continued life after death is very old. It doubtless had its roots back in the childhood of the race. In view of the limited knowledge of primitive man, it was not unreasonable. His dead friends and relatives visited him in dreams and visions and were present in his feeling and imagination until they were forgotten. Therefore the lifeless body did not raise the question of dissolution, but rather of duality. It was thought that man was a dual being possessing a body and a soul as separate entities, and that when a man died, his soul was released from his body to continue its life apart. Consequently, food and drink were placed upon the graves of the dead to be used in the long journey into the unknown. In modified forms, this belief in the duality of man persists to the present day. But primitive man had no conception of life as having a beginning and an end. In this he was like the rest of the animals. To-day, everyone of ordinary intelligence knows how life begins, and to examine the beginnings of life leads to inevitable conclusions about the way life ends. If man has a soul, it must creep in somewhere during the period of gestation and growth.

All the higher forms of animal life grow from a single cell. Before the individual life can begin its development, it must be fertilized by union with another cell; then the cell divides and

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multiplies until it takes the form and pattern of its kind. At a certain regular time the being emerges into the world. During its term of life millions of cells in its body are born, die, and are replaced until, through age, disease, or some catastrophe, the cells fall apart and the individual life is ended.

It is obvious that but for the fertilization of the cell under right conditions, the being would not have lived. It is idle to say that the initial cell has a soul. In one sense it has life; but even that is precarious and depends for its continued life upon union with another cell of the proper kind. The human mother is the bearer of probably ten thousand of one kind of cell, and the human father of countless billions of the other kind. Only a very small fraction of these result in human life. If the unfertilized cells of the female and the unused cells of the male are human beings possessed of souls, then the population of the world is infinitely greater than has ever been dreamed. Of course no such idea as belief in the immortality of the germ cells could satisfy the yearnings of the individual for a survival of life after death.

If that which is called a "soul" is a separate entity apart from the body, when, then, and where and how was this soul placed in the human structure? The individual began with the union of two cells, neither of which had a soul. How could these two soulless cells produce a soul? I must leave this search to the metaphysicians. When they have found the answer, I hope they will tell me, for I should really like to know.

We know that a baby may live and fully develop in its mother's womb and then, through some shock at birth, may be born without life. In the past, these babies were promptly buried. But now we know that in many such cases, where the bodily structure is complete, the machine may be set to work by artificial respiration or electricity. Then it will run like any other human body through its allotted term of years. We also know that in many cases of drowning, or when some mishap virtually destroys life without hopelessly impairing the body, artificial means may set it in motion once more, so that it will complete its term of existence until the final catastrophe comes. Are we to believe that somewhere around the stillborn child and somewhere in the vicinity of the drowned man there hovers a detached soul waiting to be summoned back into the body by a pulmotor? This, too, must be left to the metaphysicians.

The beginnings of life yield no evidence of the beginnings of a

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soul. It is idle to say that the something in the human being which we call "life" is the soul itself, for the soul is generally taken to distinguish human beings from other forms of life. There is life in all animals and plants, and at least potential life in inorganic matter. This potential life is simply unreleased force and matter — the great storehouse from which all forms of life emerge and are constantly replenished. It is impossible to draw the line between inorganic matter and the simpler forms of plant life, and equally impossible to draw the line between plant-life and animal life, or between other forms of animal life and what we human beings are pleased to call the highest form. If the thing which we call "life" is itself the soul, then cows have souls; and, in the very nature of things, we must allow souls to all forms of life and to inorganic matter as well.

Life itself is something very real, as distinguished from the soul. Every man knows that his life had a beginning. Can one imagine an organism that has a beginning and no end? If I did not exist in the infinite past, why should I, or could I, exist in the infinite future? "But," say some, "your consciousness, your memory may exist even after you are dead. This is what we mean by the soul." Let us examine this point a little.

I have no remembrance of the months that I lay in my mother's womb. I cannot recall the day of my birth nor the time when I first opened my eyes to the light of the sun. I cannot remember when I was an infant, or when I began to creep on the floor, or when I was taught to walk, or anything before I was five or six years old. Still, all of these events were important, wonderful, and strange in a new life. What I call my "consciousness," for lack of a better word and a better understanding, developed with my growth and the crowding experiences I met at every turn. I have a hazy recollection of the burial of a boy soldier who was shot toward the end of the Civil War. He was buried near the schoolhouse when I was seven years old. But I have no remembrance of the assassination of Abraham Lincoln, although I must then have been eight years old. I must have known about it at the time, for my family and my community idolized Lincoln, and all America was in mourning at his death. Why do I remember the dead boy soldier who was buried a year before? Perhaps because I knew him well. Perhaps because his family was close to my childish life. Possibly because it came to me as my first knowledge of death. At all events, it made so deep an impression that I recall it now.

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"Ah, yes," say the believers in the soul, "what you say confirms our own belief. You certainly existed when these early experiences took place. You were conscious of them at the time, even though you are not aware of it now. In the same way, may not your consciousness persist after you die, even though you are not now aware of the fact?"

On the contrary, my fading memory of the events that filled the early years of my life leads me to the opposite conclusion. So far as these incidents are concerned, the mind and consciousness of the boy are already dead. Even now, am I fully alive? I am seventy-one years old. I often fail to recollect the names of some of those I knew full well. Many events do not make the lasting impression that they once did. I know that it will be only a few years, even if my body still survives decay, when few important matters will even register in my mind. I know how it is with the old. I know that physical life can persist beyond the time when the mind can fully function. I know that if I live to an extreme old age, my mind will fail. I shall eat and drink and go to my bed in an automatic way. Memory — which is all that binds me to the past — will already be dead. All that will remain will be a vegetative existence; I shall sit and doze in the chimney corner, and my body will function in a measure even though the ego will already be practically dead. I am sure that if I die of what is called "old age," my consciousness will gradually slip away with my failing emotions; I shall no more be aware of the near approach of final dissolution than is the dying tree.

In primitive times, before men knew anything about the human body or the universe of which it is a part, it was not unreasonable to believe in spirits, ghosts, and the duality of man. For one thing, celestial geography was much simpler then. Just above the earth was a firmament in which the stars were set, and above the firmament was heaven. The place was easy of access and in dreams the angels were seen going up and coming down on a ladder. But now we have a slightly more adequate conception of space and the infinite universe of which we are so small a part. Our great telescopes reveal countless worlds and planetary systems which make our own sink into utter insignificance in comparison. We have every reason to think that beyond our sight there is endless space filled with still more planets, so infinite in size and number that no brain has the smallest conception of their extent. Is there any reason to think that in this universe, with its myriads of worlds,

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there is no other life so important as our own? Is it possible that the inhabitants of the earth have been singled out for special favor and endowed with souls and immortal life? Is it at all reasonable to suppose that any special account is taken of the human atoms that forever come and go upon this planet?

If man has a soul that persists after death, that goes to a heaven of the blessed or to a hell of the damned, where are these places? It is not so easily imagined as it once was. How does the soul make its journey? What does immortal man find when he gets there, and how will he live after he reaches the end of endless space? We know that the atmosphere will be absent; that there will be no light, no heat — only the infinite reaches of darkness and frigidity. In view of modern knowledge, can anyone *really believe* in the persistence of individual life and memory?

There are those who base their hope of a future life upon the resurrection of the body. This is a purely religious doctrine. It is safe to say that few intelligent men who are willing to look obvious facts in the face hold any such belief. Yet we are seriously told that Elijah was carried bodily to heaven in a chariot of fire, and that Jesus arose from the dead and ascended into heaven. The New Testament abounds in passages that support this doctrine. St. Paul states the tenet over and over again. In the fifteenth chapter of first Corinthians he says: "If Christ be preached that he rose from the dead, how say some among you that there is no resurrection of the dead? . . . And if Christ be not risen, then is our preaching vain. . . . For if the dead rise not, then is not Christ raised." The Apostles' Creed says: "I believe in the resurrection of the body." This has been carried into substantially all the orthodox creeds; and while it is more or less minimized by neglect and omission, it is still a cardinal doctrine of the orthodox churches.

Two thousand years ago, in Palestine, little was known of man, of the earth, or of the universe. It was then currently believed that the earth was only four thousand years old, that life had begun anew after the deluge about two thousand years before, and that the entire earth was soon to be destroyed. To-day it is fairly well established that man has been upon the earth for a million years. During that long stretch of time the world has changed many times; it is changing every moment. At least three or four ice ages have swept across continents, driving death before them, carrying human beings into the sea or burying them deep in

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the earth. Animals have fed on man and on each other. Every dead body, no matter whether consumed by fire or buried in the earth, has been resolved into its elements, so that the matter and energy that once formed human beings has fed animals and plants and other men. As the great naturalist, Fabre, has said: "At the banquet of life each is in turn a guest and a dish." Thus the body of every man now living is in part made from the bodies of those who have been dead for ages.

Yet we are still asked to believe in the resurrection of the body. By what alchemy, then, are the individual bodies that have successively fed the generations of men to be separated and restored to their former identities? And if I am to be resurrected, what particular *I* shall be called from the grave, from the animals and plants and the bodies of other men who shall inherit this body I now call my own? My body has been made over and over, piece by piece, as the days went by, and will continue to be so made until the end. It has changed so slowly that each new cell is fitted into the living part, and will go on changing until the final crisis comes. Is it the child in the mother's womb or the tottering frame of the old man that shall be brought back? The mere thought of such a resurrection beggars reason, ignores facts, and enthrones blind faith, wild dreams, hopeless hopes, and cowardly fears as sovereigns of the human mind.

Some of those who profess to believe in the immortality of man — whether it be of his soul or his body — have drawn what comfort they could from the modern scientific doctrine of the indestructibility of matter and force. This doctrine, they say, only confirms in scientific language what they have always believed. This, however, is pure sophistry. It is probably true that no matter or force has ever been or ever can be destroyed. But it is likewise true that there is no connection whatever between the notion that personal consciousness and memory persist after death and the scientific theory that matter and force are indestructible. For the scientific theory carries with it a corollary, that the forms of matter and energy are constantly changing through an endless cycle of new combinations. Of what possible use would it be, then, to have a consciousness that was immortal, but which, from the moment of death, was dispersed into new combinations so that no two parts of the original identity could ever be reunited again?

These natural processes of change, which in the human being

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take the forms of growth, disease, senility, death, and decay, are essentially the same as the processes by which a lump of coal is disintegrated in burning. One may watch the lump of coal burning in the grate until nothing but ashes remains. Part of the coal goes up the chimney in the form of smoke; part of it radiates through the house as heat; the residue lies in the ashes on the hearth. So it is with human life. In all forms of life nature is engaged in combining, breaking down, and recombining her store of energy and matter into new forms. The thing we call "life" is nothing other than a state of equilibrium which endures for a short span of years between the two opposing tendencies of nature — the one that builds up, and the one that tears down. In old age, the tearing-down process has already gained the ascendency, and when death intervenes, the equilibrium is finally upset by the complete stoppage of the building-up process, so that nothing remains but complete disintegration. The energy thus released may be converted into grass or trees or animal life; or it may lie dormant until caught up again in the crucible of nature's laboratory. But whatever happens, the man — the *You* and the *I* — like the lump of coal that has been burned, is gone — irrevocably dispersed. All the King's horses and all the King's men cannot restore it to its former unity.

The idea that man is a being set apart, distinct from all the rest of nature, is born of man's emotions, of his loves and hates, of his hopes and fears, and of the primitive conceptions of undeveloped minds. The *You* or the *I* which is known to our friends does not consist of an immaterial something called a "soul" which cannot be conceived. We know perfectly well what we mean when we talk about this *You* and this *Me:* and it is equally plain that the whole fabric that makes up our separate personalities is destroyed, dispersed, disintegrated beyond repair by what we call "death."

Those who refuse to give up the idea of immortality declare that nature never creates a desire without providing the means for its satisfaction. They likewise insist that all people, from the rudest to the most civilized, yearn for another life. As a matter of fact, nature creates many desires which she does not satisfy; most of the wishes of men meet no fruition. But nature does not create any emotion demanding a future life. The only yearning that the individual has is to keep on living — which is a very different thing. This urge is found in every animal, in every plant. It is simply the momentum of a living structure: or, as Schopenhauer

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put it, "the will to live." What we long for is a continuation of our present state of existence, not an uncertain reincarnation in a mysterious world of which we know nothing.

All men recognize the hopelessness of finding any evidence that the individual will persist beyond the grave. As a last resort, we are told that it is better that the doctrine be believed even if it is not true. We are assured that without this faith, life is only desolation and despair. However that may be, it remains that many of the conclusions of logic are not pleasant to contemplate; still, so long as men think and feel, at least some of them will use their faculties as best they can. For if we are to believe things that are not true, who is to write our creed? Is it safe to leave it to any man or organization to pick out the errors that we must accept? The whole history of the world has answered this question in a way that cannot be mistaken.

And after all, is the belief in immortality necessary or even desirable for man? Millions of men and women have no such faith; they go on with their daily tasks and feel joy and sorrow without the lure of immortal life. The things that really affect the happiness of the individual are the matters of daily living. They are the companionship of friends, the games and contemplations. They are misunderstandings and cruel judgments, false friends and debts, poverty and disease. They are our joys in our living companions and our sorrows over those who die. Whatever our faith, we mainly live in the present — in the here and now. Those who hold the view that man is mortal are never troubled by metaphysical problems. At the end of the day's labor we are glad to lose our consciousness in sleep; and intellectually, at least, we look forward to the long rest from the stresses and storms that are always incidental to existence.

When we fully understand the brevity of life, its fleeting joys and unavoidable pains; when we accept the fact that all men and women are approaching an inevitable doom: the consciousness of it should make us more kindly and considerate of each other. This feeling should make men and women use their best efforts to help their fellow travelers on the road, to make the path brighter and easier as we journey on. It should bring a closer kinship, a better understanding, and a deeper sympathy for the wayfarers who must live a common life and die a common death.

Next month, "Experiences Facing Death," by Mary Austin

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BUSINESS AND ETHICS

JOHN T. FLYNN

"BUSINESS!" exclaims the Dean of the Chicago University Divinity School, in an almost ecstatic prostration before the throne of Mammon — "Business! Maker of Morals!" Then like a true priest, eager to set up a monopoly for his principal, he cries out, "What else but business could make morality?"

Dr. Frank Crane lifts his soul to an exalted level in an incantation of such poetic and religious fervor that it rises almost to a chant about the National Cash Register Company. There upon a hill in Dayton the good doctor catches a glimpse of Paradise, and he calls his little apocalyptic saga "Heaven and Kingdom Come." Glenn Frank glorifies the American salesman and sees him as following in the footsteps of the Savior, who, as the Super-Salesman in the great drama of the Atonement, was simply merchandising salvation to the human race. And to this Bruce Barton adds the further compliment to the Master that he was not like those febrile figures of the Italian canvases, but more like the virile, go-getting, he-men of business; that he was the founder of business, the first great advertiser, the premier group organizer, the master executive, and the champion publicity grabber of all time.

Business has become almost a holy thing. The muckrakers have been driven into exile and the old freebooters have been recalled from the deserts of odium to which they were whipped twenty years ago. Niches are being prepared for them in our American Valhalla. A few of them wait only for death to be admitted to full sainthood. And business — the great system of barter and trade by which they climbed — has become, not a maker of morals merely, but the *only* maker of morals in the world. I should like to examine that precious morsel.

THE GOOD OLD DAYS — MAY THEY NEVER COME AGAIN!

If I have any criticism to make of to-day's business morals, I certainly have no tears to shed over the old-fashioned business man. His rules of conduct were few, simple, and crude. "Business is business" — that was his slogan. And he had fairly exhausted the resources of apologetics when he explained that he was not in business for his health. He had his code, though he did not dream

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of engrossing it on parchment and framing it for the wall. There seemed to be two laws — one for the people he knew, and one for the stranger. A regular customer, aware of being short-weighted or overcharged, might take his trade to a rival. And a rival was hated above all evils. But apparently it was defensible to squeeze the last penny from the outlander and the passer-by. The old merchant felt he had a right to charge what he pleased. If he chose to sell to one man at a low price and require a high price from the next, that was his own affair.

In some way this has come to be immoral. For one reason or another the old order is passing in which the merchant bargained with his customer and lied ignobly in the process. He asked a big price and came down if he had to. That is now unethical. Now he asks a big price and sticks to it. Instead of charging one man a dollar and another man two dollars for a fifty-cent razor, he charges everybody five dollars and the light of heaven shines upon the transaction. The old merchant cared little about what was in the packages on his shelves or what was on the labels of those packages, and the manufacturer was equally indifferent to what he put into them.

What could be expected of the rank and file of business men when the leaders were so very bad? At the top were men like Jay Gould and James Fisk, Jr., Commodore Vanderbilt, and that astonishing and picturesque old scoundrel, Daniel Drew. But with the opening of this century came a revival of morals. It was not business, however, that inspired or forwarded it. It was the muckrakers who first stirred the public conscience. And all the time, against almost every movement forwarded, business — organized business — blocked the way. It was driven from its bad habits and its low character with a whip and it contested every inch of its regeneration. A kind of odium attaches to the crusaders who warred upon its villainies. But business itself, thus forced to an unwilling reformation, is, according to its obsequious clerical eulogist, the only maker of morals.

It would be unfair not to say, however, that after a time certain forces in business itself were stirred. Business began to move in the direction of better ethics. After all, the business man is not only a purveyor. He is a customer as well. Before he can sell bad noodles to his retailers he must buy eggs and flour and cartons and machinery from some other purveyor. When the noodle man became more intelligent, he began to perceive that while he was

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loading his cartons with poor noodles, he in turn was made the victim of the egg man, the flour man, and the machinery man. Very soon the noodle makers formed themselves into trade associations and began to take measures to protect their own craft against the egg and flour and other dealers, who in turn had to consider similar measures to guard against the wickedness of those from whom they bought.

A famous advertising man writes the story of his life. In one chapter he tells with great gusto of his part as a pioneer in patent medicine advertising in its early days, when it flourished in all its glory. In another chapter he tells with swelling pride of the part he took as a pioneer against dishonest newspaper publishers who lied about their circulation to advertisers. One can imagine the pious chagrin of a patent medicine advertiser who supposed he had been lying to 100,000 readers when he was only lying to half that number, because the publisher was lying to him. This force is operating now with greater effectiveness than ever. The new competition has put all business into competition with all other business for a share of the consumer's dollar. If one business group can drive another business group out of the race, it will have a better chance for a larger share of that dollar.

Along with this, the modern business man's greater intelligence is pointing the way to sounder, safer, surer profits in better business. Aside from the chicanery of the knave, a good deal of the badness in business may be traced to ignorance. To-day it would be hard to find any trade that surpasses the women's ready-to-wear industry in the extent and intensity of its bad manners and its immoral practices. And no trade surpasses it in ignorance. It is for this reason that big business, taken upon the whole and in its daily man-to-man dealings, is more honest than little business. It is more intelligent.

The Ethics of Bunk

With all of this, however, the modern business man, taking him as he comes, is more honest than his predecessor. But he is also more full of sham. You will get a squarer deal from him, but you will also get a stifling volley of claptrap. And for this consummation, I am sorry to say, we are in large measure indebted to some of the pragmatic members of my own craft. Mr. James Wood, in a very astute little book called *Democracy and the Will to Power*, lays his finger upon this strange phenomenon. In the

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race for riches, which is the common goal, some men succeed because they possess and use the proper economic endowments for that kind of success. There are, however, always a number of intellectuals not so well equipped for this race, though none the less eager to win. They group themselves about the doers, the achievers, the producers, the effective go-getters, and prey upon them. One method of doing this is to become the apologists and defenders of their successful patrons. They invent philosophies to justify them. They make propaganda. They set up systems of ethics hand-made to fit the current aims of their employers. They serve in less noble ways. They design bogies to frighten their masters and thus prolong their employment. They fashion and exaggerate red terrors and yellow perils. They produce the speeches, write the articles, compose the autobiographies, and trumpet the deeds of their masters.

So excellently has this propaganda prospered in this country that it has called forth a religion of success. It is this parasite class, therefore, which has loosed upon us the flood of bunk in which American business wallows. We do not now hear the voice of the business leader. When he appears, he is brought on the stage artfully made up and supplied with the proper lines to speak. When old Daniel Drew looted the Erie Railroad, wrecked its credit while a director, and then went into Wall Street and gathered in its crumbling stock, he chuckled outright and boasted "he had got the sow by the ears and put the road in his breeches pocket." One cannot conceive of such language now. When a great oil magnate seizes a vast oil field after a campaign of corruption and bribery, he informs his countrymen that he did it as a patriotic act to protect his native land against the threat of an impending war with Japan. Of such is the Kingdom of Bunk.

But the practice has its ethics, though I am far from pretending to understand it. It is an airy region. One enters the very ether of morals in search of the ethical values of bunk. Thus no one has laid down any reliable principles to guide us in our lying. All we know is that lying we must have. We are an honest people just as we are a dry people. In the main we are for prohibition. Or at least the more respectable of us are. But it does not follow that we must take our prohibition too seriously any more than we must take our ethics too seriously. We are against hypocrisy just as we are against homicide. But there is such a thing as justifiable homicide. May there not be such a thing as justifiable hypocrisy?

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When a trade group decides that the time has come to get together on a series of agreements — offensive and defensive — against their customers and the public, do the members say so? By no means. Instead, some gentleman rises in meeting and delivers himself as follows:

"Brothers: It must be clear to every monkey wrench manufacturer present that the great vocation of making monkey wrenches for this free people summons us to higher efforts of service. We want profit, but there are things more sacred than profit. First comes our God, then our flag, then our monkey wrenches. We must first make America monkey-wrench conscious, then we must give her a monkey wrench that represents the highest ideals of patriotism. We have established the Monkey Wrench Institute of America. Thus, as members, we have attained to the state of a profession. We want everything professional men have. And so we must have a code of ethics."

The Anti-Social Codes

Of course, every wrenchman present understands this language. The euphuism of bunk is universally accepted. So the Monkey Wrench Academy sets up a code for the guidance of its academicians. There are the phrases about God, the flag, and service. But few care about this harmless rhetoric. What they do care about, however, are those more deadly provisions somewhere down in the body of the instrument which deal with competition, price cutting, personnel raiding, and so on.

There is, to be sure, a large element genuinely interested in this elevation of business to the rank of a profession. They have been told by eminent divines that business is a ministry. They observe that Harvard — our snootiest centre of learning — has erected a School of Business and that its professors wear cap and gown. They see schools of business rising on a score of university campuses. Distinguished financiers and industrialists are honored with the degree of Doctor of Commerce. And they feel the ancient curse which feudalism cast upon the merchant dropping away.

However, the yearnings of these gentlemen are satisfied by the mere adoption of the code. The serious sections of the code, hidden away in the centre, are there to satisfy the more practical men. If you will examine any code, you will find there are two kinds of provisions in it — outward-looking and inward-looking. The former reveal the learned members of the National Minced

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Ham and Veal Loaf Association looking out upon their duties to the universe, ranging from the day's customers even as far as to the skies. The inward-looking provisions expose them looking at each other and contemplating their relations within the trade. And if you are looking for dynamite in a code of ethics, it is there you will find it.

The outward-looking items are mostly language, with the Golden Rule playing the stellar rôle. "The Golden Rule" — thus begins the bankers' code — "as beautiful and comprehensive as when it was uttered by the Great Teacher, remains and will continue throughout all time to be the measure of man's duty to man. 'Therefore all things whatsoever ye would that men should do unto you, do ye even unto them. For this is the law and the prophets.'" And the Concatenated Order of Hoo Hoo — which is Rotarian for Lumbermen — pledge themselves "To establish the spoken word on the same basis as the written bond, to consider our vocation worthy, and to be worthy of our vocation as the nation's home builders, and to keep in view the world bonds of human interest."

The hair dressers, having first proclaimed that they will "forget self — our profession first," enjoin their members to be truthful in advertising; though this has not, apparently, diminished the number of bottles upon their shelves containing magical fluids to make hair grow on bald heads.

The retail grocers, after a flourish about "valuing my citizenship and placing my country and my flag next to God," soon get down to brass tacks — namely that there are "too many retailers," that if it is possible to do so without introducing political interference, they favor state licensing of retailers — which of course is a shot at their chain store competitors. Moreover, they are against that prime villain — the price cutter — and to that end they favor a law that will enable wholesalers to support a price maintenance policy. And furthermore, they are unalterably opposed to that abomination of abominations — the factory store, such as Mr. Ford set up in Dearborn to bring the retail profiteers down off their perches. These are "un-American," which is the ultimate adjective of doom.

When the accountants fall to legislating, they too are for honesty and all the commercial virtues. But they get quickly enough to provisions against advertising, against hiring each other's employees, and against taking business away from each

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other. Almost all of these codes contain a curious provision which recalls to me an order I once received on being made city editor of a paper in a small city. I was told I must not hire a reporter or employee of any other paper unless I first communicated with that paper and secured his release. This outrageous understanding among the publishers in that city prevented a man from taking his talents around in an open market and selling them where they might command the best price. It reduced the newspaper men almost to a form of slavery. And now I see this beautiful ethical rule in almost all codes — one member must not negotiate with the employee of another member without that member's consent.

Herbert Hoover once gave a trade group an infallible test for knowing just when they ceased to be mere traders and became professional men. This beautiful transfiguration takes place when the trade develops a set of "group ethics." By that test the preachers, apparently, have ceased to be just plain sky pilots and have stepped up to the professional state. They have begun to develop group ethics. They are adopting codes. And like their fellow craftsmen in the soap, nut, lingerie, and egg noodle lines, they start off with fine phrases about "the people" and "serious study," and about the preacher paying his bills promptly. But they soon descend to more practical matters dealing with the means by which those bills are to be paid. "It is unethical," so runs the code, "for a minister to interfere directly or indirectly in the affairs of another parish. Particularly should he be careful to avoid the charge of proselyting." Thus he is not permitted to snatch a brand from the burning if it is being consumed in the flames of error of another member of the association in good standing.

Moreover, a minister must not listen to a call from a church whose pastor has not yet resigned, and there is another singular provision against unloading charity cases upon a brother minister. Also a minister must insist on an annual vacation of at least two weeks. It is unethical to preach the Kingdom more than fifty weeks in the year.

The scientists, too, have become ambitious of the same professional standing as the ministers and the shrimp packers. They too have just set up a code. They too burn the customary incense before their common mother — Science — and then they promise not to criticise each other, not to underbid each other, to quit quickly jobs that do not pay enough, to investigate before accept-

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ing a position from which a brother scientist has been dismissed. This brings a sneer from one scientific journal which suggests that now the members will want to be known as "Scientors." Which supplies a happy suggestion for the ministers, who might like to be called "Salvationors."

It would be interesting to know what effort is made by trade associations to enforce these codes of ethics. How many members have been disciplined for violating those lovely statutes about honesty and fair dealing with the public? And how many for price cutting and underbidding and customer raiding? A group at Columbia made a study of twelve codes. Of the twelve, but five were supported by any effort at enforcement. These were the codes of the lawyers, the doctors, the teachers, the accountants, and the realtors of Detroit. The Detroit realtors expelled three men — two of them for selling property to buyers who were known to be the customers of other members. The accountants suspended one man for violating the rules against advertising and soliciting business from a client of a brother member. It is in these portions of the codes that business men are interested, if at all.

When you hear a business man boasting how much nobler business has become, you will find by a few questions that he is thinking of the relations of fellow tradesmen with each other. In the old days before the United States Steel Corporation, a group of wire men formed a pool and in a conference agreed on the price of $1.50 a keg for nails. After the conference one member went to the telegraph office to wire his partner. One of his fellow conferees was there ahead of him. By mistake the telegraph operator handed the second member the message which his compatriot had filed. The nail man found the message to be an offer to a large consumer to sell him 10,000 kegs of nails at $1.40. So the second nail maker tore up the message and substituted a bid of his own at the same price.

"Every man's hand was against his neighbor then; we were all Ishmaelites," declared a veteran Carnegie official, testifying in the suit to dissolve the United States Steel Corporation. In this respect business has improved. Competitors seldom formed contacts in those days save for purposes of assault and battery. Now they can sit around a table in friendly spirit and discuss their trade problems. But while their code proclaims undying devotion to their country and their flag, they are frequently engaged, while sitting around those tables, in discussing how they can circumvent

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their country's laws and squeeze more profits out of their countrymen. Many of these sweet, ethical love feasts around the table have kept the Federal Trade Commission, the utility commissions, the grand juries, district attorneys, and other agencies busy protecting the public from the glorious consequences of the newer ethics.

The New Corruption

In all this we have been examining the long and painfully slow movement forward in what might be called the personal relations of business — elementary problems of honesty in price, quality, and delivery. But there is another region of ethics about which the codes and code makers are ominously silent or vague. Business men have always delighted to sneer at the morals of politics. But now the dishonesties peculiar to political life are finding their way into business.

The business organization to-day resembles the community organization. Corporation managers are not owners but employees representing large groups of stockholders. They bear the same relation to their stockholders that elected public officials bear to their constituencies. As a result, we find business corporations shot through with all the vices we have become familiar with in public life. If private corporate management were subject to the same scrutiny and publicity as community management, the scandals would shock the nation. Managers of corporations do not scruple to exploit their companies. The executive of a large concern finds in that post an opportunity to own and promote other smaller corporations which deal with it and fatten upon its favor. Nepotism runs wild, exorbitant salaries are bestowed upon favored officials, purchasing departments are honeycombed with graft. Corporate managers complain on the one hand that supply houses bribe their buyers and department heads, while supply houses retort that there is no other way to make sales.

In the Teapot Dome oil scandals, the most disturbing phase is not the scandals themselves — for this sort of thing we have always had and will always have with us. The distressing aspect is the attitude of business toward the episode. Two classes of persons were involved in that criminal enterprise — politicians and business men. All the guilty public officials were ousted long ago — flung out in disgrace. But the business men continue to hang

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on to their jobs and their honors. The Senate — representing the public life of the country — has labored incessantly and against great odds to clean house, and it has succeeded in large measure. But business has scarcely lifted its finger. Recently young Mr. Rockefeller asked for the resignation of Mr. Stewart of the Standard Oil Company of Indiana, and the Chamber of Commerce of the United States passed a resolution condemning business dishonesty. But this scandal has been fouling the air for four years and in all that time you will look in vain for any expression from business save one of irritation at the meddling investigations of the Senate.

Mr. Rockefeller asks Stewart's resignation. But he has not given it, and business men doubt that even Rockefeller can force it. It was only a few months ago — after Mr. Stewart's last disgraceful appearance on the Senate witness stand — that he was elected chairman of his company. Mr. Sinclair, within the week following all the exposures and his own confession, by making restitution of over seven million dollars to the company he heads, is again unanimously elected its head. He and Mr. Doheny still adorn the council of the National Petroleum Institute, and Mr. Doheny, in addition, has had conferred upon him by a religious college the degree of Doctor of Laws. Laws! Heaven save the mark! All the other culprits, during four years, were renamed to posts of honor in their companies — two of them refugees from their country — one hiding his troubled conscience in a European monastery while begging from an offended God the forgiveness his directors accorded so readily in repeated reëlections.

It would not be true to say that no corporation officials are controlled in their conduct by a high sense of duty to their stockholders. One such official was the late Elbert H. Gary. I interviewed Judge Gary a number of times. He never impressed me as a man of strong intellectual gifts, but he brought a stern New England conscience into the corporation board room. He must be credited with introducing the germ of a better morality among corporate directors. Curiously enough, his first blow was leveled at a rather trifling bit of dishonesty. United States Steel Corporation directors, like others, received for attending board meetings twenty dollars each in gold. There were always absentees, but the directors who attended insisted on dividing the gold pieces of their absent brethren among themselves. And to add sauce to the petty adventure, they matched for them. Judge Gary's Calvinistic

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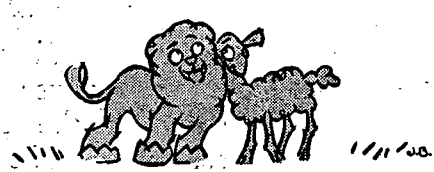
code revolted at this gambling, and particularly for gold pieces to which they had no right. They might just as well have shaken dice for the small change in the petty cash drawer. The directors were astonished at this bit of scrupulosity.

But soon it was to flare out in a more serious way. Judge Gary worked out a scheme of preparing the financial statements of the corporation in secret, so that not even he knew their whole import until the comptroller put them together at the meeting of the board. It was then after three o'clock and the market had closed, the statement being given out in Wall Street at the same time as to the directors. A devout and outraged howl went up among the directors at this. "What! Are we to have no advance information about our own affairs so that we can use the information on the Street?" Mr. Henry Frick was especially indignant. He had always enjoyed this privilege. But Judge Gary held fast to his guns. He insisted that they were not dealing with "our affairs" but with the affairs of their stockholders, which were a sacred trust; and that the director-trustee who went out into the market and, with advance information, bought shares of stock from the stockholders he represented was guilty, to put it mildly, of a breach of trust.

That was something. But it was only a beginning. There is a vast distance to be traveled. There still lingers a fear in the popular mind about corporations. The fear is misdirected. I do not fear great rich corporations, but rather the rich men who control them and employ the opportunities for vast gain which that control gives. Business will begin to move toward a truly higher ethics when it quits making pretty verbal flourishes about God and the flag and service and gets down seriously to the business of outlawing this sort of thing. When the great corporation official who exploits his corporation is written down by business men as a grafter, like the public official who exploits his city and country, then there will be some excuse for boasting of the "morals of modern business."



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CELEBRITIES

ROSE MACAULAY

Forum Table Talk

"MANY celebrities were present. . . ." So we read, and doubtless we read the truth. There are, indeed, so many celebrities to each corner of this crowded planet that it is difficult to imagine any good-sized gathering without several of them present. They increase daily; there are more in the present century than in any of those that preceded it, more this year than last year, more this week than in the week before. Either more men and women than formerly achieve greatness, or more have greatness thrust upon them. No doubt it is the latter; and the credit is mainly due to the lively, kindly, and delightful press, that so generously stints not to give honor where honor is due. And due it is, surely, for one thing or another, to every human creature. The press creates celebrity, rightly blowing trumpets after mankind as it treads its daily path.

In fact, it is difficult to understand how the celebrities of old succeeded in being so numerous and so celebrated as they were without this means of publicity. On the whole, they did pretty well; but there is no doubt that a great deal of good potential celebrity must have perished in the bud. When our ancestors obtained centuries of runs at cricket, or defeated their foes in single combat, or held up mail coaches, or wrote little poems and tales, or painted little pictures, or made little tunes, their fame was, for the most part, local, scarcely penetrating beyond the next town or village. Only a few emerged by some fluke into the eyes of the larger world. When our ancestresses won love sets in

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tennis tournaments, or swam across the seas that divide one country from another — as doubtless they frequently did — the applause that greeted them, though no doubt ardent, was straitly limited in scope.

But to-day it is not so. Any one of us, by performing these simple human actions, or by almost any other means, can attain at once a wide celebrity, can read our exploits blazoned abroad in large black letters, hear them murmured of in street cars and elevators, and mentioned loudly at nine P.M. across the ether. And if this is not celebrity, I do not know what is. Even young children can become celebrated; even dogs and cats, for "Cat's Grief For Dead Mistress" I read in my paper — "Animal Suicide" — and underneath is set the story of this unhappy and suicidal cat, its name and all the harrowing details given in full.

As to human beings, it would be a strange chance indeed if they should avoid fame, to which so many roads lead. They have but to attain the age of ninety-five or so and then utter some comment on the many generations beneath them, or to bear triplets (even one triplet suffices), or to set up house, like Diogenes, in a tub, or, like Simon Stylites, on the top of a pillar, or to depart from their homes for a few days without leaving an address, when they will find themselves celebrated throughout their native land under the title of "Missing Man," "Missing Woman," or, most celebrated of all, "Missing Girl." Of all the short cuts to fame, to be missing — even though not particularly missed — seems one of the least troublesome, and is more elegant and bland than taking a nose dive from the Brooklyn Bridge, or assaulting a policeman, or interrupting divine service in St. Paul's Cathedral. Though perhaps it is easiest of all to speak to an unintroduced member of the opposite sex in Hyde Park or elsewhere, under the eye of a policeman, who may be trusted, sympathetic officer, to

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discern annoyance in the demeanor of the addressed and hotly interfere to champion him or her.

Celebrity attained by these various means does not last forever. It burgeons like a flower of a day, or like the May fly, to make as brief an end; but while it lasts, it is the real thing, and should entitle you to inclusion "among those present." Or, if you prefer it, and do not mind spending rather more time, you can write a book of some kind — your diary, or an imaginary tale, or a little verse — and persuade some publisher to print and circulate it for you (for if you do not get it printed, your celebrity will remain as local as that of your remote ancestors who similarly functioned). This will not secure you such certain celebrity as the more fantastic and dashing actions described above, for fame through the printed word is something of a fluke, and does not come to all who wield the pen. No one has yet ascertained on what it depends, but it is generally agreed that it is not on the merits (if any) of what is written. So you have as good a chance as the next man. In this sphere, as in others, fame is not necessarily favorable; it may be an infamous notoriety. Even so, it should place you "among those present."

It is an ill wind that blows no one any fame. Most of the waves of this troublesome world toss someone to celebrity on their crests. War throws up its simple-hearted generals; peace its somewhat less simple politicians; revolution its Cromwells, its Lenins, and its Mussolinis; church crises their archbishops, bishops, Inskips and Joynson-Hickses; taxation its village Hampdens. Let none despair; if our chance does not come in one way, it will in another, and no one need perish without being possessed — if only for a brief period, and for what it is worth — of a name, even should it only visit him in the hour of his sudden demise under the wheels of traffic.

The question arises, what *is* a name? What is fame? To how many people must we be known by name before we are accounted celebrities? And to this there seems no precise answer. There is one glory of the school, another of the village, another of the town, another of one's native land, another of a continent, another of a hemisphere, another of the whole earth (such is the glory of Gene Tunney and his kind), and yet another that extends beyond the earth and embraces heaven and hell (such is the glory of Lucifer and of the saints). Yes, there are all degrees of celebrity, and it can only be by the most persistent and strenuous endeavor

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that men and women shall escape one or another of them. The ideal state of affairs will be when everyone in the world is celebrated, so that the among-those-present list after every gathering will demand a full page of the *Times*. When everybody's somebody, nobody's anybody — as the saying runs. And very nice too. I am all for everybody being somebody and nobody being anybody. It diminishes arrogance, envyings, discontents, and social snobberies, and gives us all a pleasant feeling of moving in that spotlight so dear to stage celebrities. We ought all to be celebrated; it should not be necessary to have recourse even to the simple actions indicated above to attain fame. We should not be compelled to plunge into some sea and make as if we swam across it, to charter an airplane and start to fly to other continents, to publish books, have a ninetieth birthday, play some game, or interrupt cathedral services with our cries, before we become news.

Celebrity should be, too, of a better brand. Common as it is, it is seldom very wide. Many, perhaps most, writers have, for instance, a little of it, but strictly within the small circle of those who read the kind of books they write; and they will find themselves unknown to the majority. The celebrity of actors and cinema stars extends further, but ceases where dramatic tastes and interests end. Sport and crime enjoy a wider and a brighter fame, but even this has its limits, and you will find those who misinterpret such a placard as "Wild Moor Fight," and others to whom the most skilled packer of corpses in trunks is no more than any pork packer in Chicago. All but the best and most royal celebrity is but a poor provincial affair after all. Steps should be taken to improve its quality and its scope, and I feel that the broadcasting authorities of the various nations should get busy and make us better known to one another.

On the other hand, whether being a celebrity is worth while, whether it is a pleasurable experience while it endures and so far as it goes, I cannot say. Possibly by some it is not noticed; others, perhaps, it merely annoys; others, again, toy happily with the sensation. Some there may be who wish that they possessed more of it than they do; others who would fain possess less. Perhaps it partly depends on its cause and nature. For my part, I regard it as rather chic *not* to be a celebrity, to be able to enter omnibuses, trains, restaurants, and theatres without attracting those little attentions which greet — one supposes — the well

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known. It is, surely, more genteel, more worthy of a gentleman or a lady, to be inconspicuous. All this notoriety seems to me a trifle blatant. To go down (as the phrase runs) to history, to become a byword with posterity — is not this a little obvious and crude? Better and more seemly to live in a delicate retirement, fragrant with the refined aroma of anonymity, far from the madding crowd that bustles in the market place for fame, boxing and sporting and swimming and writing and acting and preaching and disappearing and robbing and slaying and speaking in parliament.

More elegant in females, more dignified in males, is a refined and aloof nonentity. This form of distinction, as celebrity casts its nets ever wider and wider, becomes increasingly distinguished. When nearly everybody is somebody, then the nobodies will have their day, and will move, esteemed and disdainful, sublimely anonymous, among the vulgar herd of somebodies.

"Who," it will be asked in the words of the hymn, "are these like stars appearing in our midst?"

"These are they," it will be answered, "who have disdained to set foot in the temple of fame, who have preferred to go their quiet ways about the earth, unchronicled and unsung. When they die, none but their friends and relatives are the wiser. When they leave their homes for a time, no one mentions it. When they lie seriously ill, it is not proclaimed over the air. When they write books, they place them quietly in their waste paper baskets for the laying of fires. When they have painted a picture, they admire it for awhile, then wipe it out so as to leave the canvas free for another. When they write letters to newspapers, they do not post them. When they turn ninety-five, they hold their peace. When they swim or fly, they do not inform the press. When they play games, they do it so indifferently that no one invites them to enlarge their sphere. They do not get run over in streets, neither do they run over others. They are not peers, the sons or daughters of peers, or typists; and consequently their engagements are not

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idylls nor their marriages romances. When they commit crimes, they are not detected. They do not stand for parliament. And if they preach sermons, they preach about some episode of which they have read in the history of the Jews, or about Trinity Sunday, and are so dull that no one listens. They discover no new scientific fact, for they are too stupid; neither do they endeavor to hold communion with spirits, for they are not stupid enough. They are modest mediocrities, and go about their business in a genteel and sober privacy."

To be of them will ere long confer a cachet hard to come by, and not to be mentioned "among those present" will be esteemed as elegant a mark of consequence as it now is never to have had anything in print.

"Do you write?"

"Not a word."

"How chic of you!" This is what we say to-day. To-morrow it will be: "Is your name known to any beyond your acquaintances?"

"Not a person."

"How elegant and distinguished of you!"

So that even nonentity will become a kind of celebrity, and everybody will be somebody after all.

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MARRIAGE AND DIVORCE

The Views of a Liberal Churchman

JOHN HAYNES HOLMES

MY ideas about divorce are emphatic. They are not determined by anything the New Testament says, or does not say, on the subject. As a matter of fact, the New Testament evidence is woefully weak and conflicting. Furthermore, if the New Testament as such has any importance in the working out of this problem, why should we not heed St. Paul's injunction against marriage as well as Jesus's alleged injunction against divorce? The New Testament, as an inspired document, is supposed to be of a single piece and thus equally authoritative throughout. How, then, can we pick and choose our maxims of conduct or rules of social procedure? For myself, I would as little think of accepting the word of Jesus, or Paul, or any other New Testament teacher, as final upon this question of marriage and divorce, as I would think of accepting their word about demons, or the social status of women, or the institution of chattel slavery. The Nazarene and his contemporaries were men of their time; their opinions reflect the thought of their age and place, which in many cases was ignorant, superstitious, and thus hopelessly antiquated in the twentieth century.

In the same way, my ideas about divorce are not dictated by any tradition of the church, or any ruling of its ecclesiastical hierarchies. What the church says and does may or may not be of interest. In neither case is it final; and thus it is to be regarded by enlightened men with no more necessary respect than attaches to the policies of other ancient and time-weary institutions. The church, by its very nature, is unprogressive; it is out of date in a hundred and one particulars. I see no reason for accepting the church's teachings on divorce to-day, as I saw no reason for accepting its teachings on war in 1914. The church may be, and very likely is, wrong on any question of present-day importance and interest. Nothing can be rightly decided save by the free judgment of men in the light of the best knowledge, experience, and idealism of our time.

My ideas upon divorce have sprung primarily from my own experience through nearly twenty-five years of public ministry.

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When I left the divinity school, it was with the conviction that divorced persons should not be remarried, except for good and more than sufficient reasons. The divorce situation was a scandal; it was an evidence of personal immorality; it was a sign of social disintegration! The presumption was all against a person who had been through the divorce court. He was guilty, unless he could prove himself innocent beyond all reasonable doubt. I did not put it to myself in just that way, but as I look back upon myself through the years, I can see that that was my state of mind.

One of my earliest discoveries in the ministry was that this theory did not work. I found that divorced persons who desired to marry again were not always on the defensive by any means. Very soon I came to see that in many cases no sin was involved, but only tragedy and cruel sorrow. These people had committed no crime, but had simply fallen into error and misfortune. They were guilty, at the worst, of certain failures in patience, kindliness, forgiving love — virtues which are seldom given at the start of life, but are won at a great price of long and sad experience.

More and more, as time went on, I found it difficult to sit in judgment upon men and women to whom my heart instinctively went out in sympathy, and whom I wanted to help find the happiness that they had missed or lost. If they felt that this happiness could be found in another marriage, why should I deny them another chance? Who was I to refuse them a new trial under better conditions? Some clergymen, I know, think their ordination endows them with infallibility. They read their Bibles all their lives long, and never once discover the text, "Judge not, that ye be not judged."

But I was not made that way. The nearer I came to the marriage and divorce problem, the more humble I felt within myself, and the more piteous to these people. Still, there were sinners in this relation, as in all other relations of life. I must be careful. Furthermore, I was young and naturally, therefore, looked for a principle, or at least a rule of thumb, to guide me. So at one time I solemnly resolved that I would remarry persons who had *secured* a divorce, but not persons who had *been* divorced. I would recognize, in other words, the so-called innocent party.

This distinction remains with me, after all these years, as important and useful. I still regard it; with me it is the starting

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point of many a sympathetic, if searching, inquiry. But I have found, or think I have found, that this rule is no more absolute or final than any other rule. It is not a magic cap that fits everybody. Rather it is a Procrustes' bed which, if used arbitrarily, warps, maims, wounds, and sometimes kills.

Thus I discovered very soon after my adoption of this principle that the legally innocent party is not always the morally innocent party. Marriage, says Count Keyserling, is in its very nature a *conflict*. It is a conflict because it involves two unlike parties seeking to join a like existence. When not successfully resolved, both parties are involved in the quarrel which ends it, as well as in the agreement which began it. A court, concerned exclusively with legal grounds for action, has neither the opportunity nor the right to go into all the physical, psychological, intimately personal factors which underlie the catastrophe. But these factors are *there*, and they vitally concern the whole issue of responsibility, which to some extent or other is almost invariably mutual. For the church and its ministers to hide behind a technical court decision is to run away from those very moral and spiritual questions which it is their prime, indeed their sacred, duty to consider.

Even where sole guilt is present in husband or in wife, the court's action is no infallible guide to its discovery. How many times have I found in my presence a chivalrous man who — rightly or wrongly — had allowed a guilty wife to divorce him that he might shield even the woman whom he no longer either loved or respected from the social odium of being divorced on damning grounds! Such a man I may not deem wise, but I esteem him generous. Shall I refuse him a second wife, because he chose to protect from disgrace, at his own bitter cost, an unworthy first wife? The very church which is so punctilious about divorce and remarriage is again and again caught in the business of remarrying a woman or a man legally innocent, but morally guilty of offense. I know of no more beautiful illustration of making "clean the inside of the cup and of the platter" only!

But suppose guilt is imputed to the right person. Shall this person, who has offended in his first marital relation, never be allowed to remarry? Is there to be no second chance for first offenders in marriage as in other social relations? No such thing as probation, and a restoration to normal, happy, righteous life? Above all, in religion, which is the church's concern, is there to be

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no forgiveness of sin? In this one most difficult human problem, is eternal punishment to be carried over from the next world into this? Personally, I do not believe in eternal punishment in either world. This whole doctrine has always seemed to me to be an insult to God as applied to the life beyond the grave, and an outrage to man as applied to life on this side of the grave. I never face sin and sinners without thinking of the good parson in Goldsmith's *Deserted Village*. Sought by the "vagrant train" of humankind,

> He chid their wanderings, but reliev'd their pain,

and then — true Christian! —

> Pleased with his guests, the good man learned to glow,
> And *quite forgot their vices in their woe*.

A climax came in my experience when a certain couple visited me with a request to be married. They wanted a religious, not merely a civil, ceremony. They had been to their own churches and to other churches, only to be refused and turned away. I asked questions and found that they had both *been* divorced. I asked deeper and more intimate questions and uncovered facts which troubled me sorely. On the other hand, I liked this man and this woman. They were honest — they hid nothing. They seemed sincere in their penitence for the past and noble in their high resolve for the future. Above all, they manifestly loved one another and were eager to prove in this new relation their integrity and truth.

I kept them waiting three days for my decision — then, stricken with the feeling that I was weakly surrendering principle to sentiment, I married them. Regularly each year thereafter, as the wedding date came round, I received from this husband and wife a letter telling of their life together. They were happy; they had a home and friends; children had come, one after another, to bless them. Their marriage was successful. After terrible mistakes and sorrows, they had found one another, and in one another the perfect life of love.

This episode ended my perplexities and changed my life. It taught me what I should have known from the beginning — what all men should know after a while! — that marriage and divorce constitute not a general problem of social or religious status, but a specific, intensely personal problem of individual experience. Each case of divorce and possible remarriage has its

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origin in circumstances — inward and outward — which in combination, at least, are unique unto itself. Each such case, that is, differs in some degree or other from every other such case. It is to be considered and judged, therefore, not from the standpoint of abstract law — political, ecclesiastical, or moral — but in the light of its own merits and demerits as an adventure in human living. Yet almost universally in the past, and still to a very considerable extent to-day, we insist upon looking at the problem as a problem abstract in its qualities, and thus wholly removed from the poignantly personal aspects in which it is invariably presented.

The trouble is, of course, that we have been, and still are, in the clutch of superstitious ideas about this institution of marriage. Thus, churchmen insist upon the concept of marriage as a sacrament. Just what a sacrament is, and what relation it bears as such to human living, I have never been able to discover. It has always been plain to me that a sacrament serves the interests of the church administering it, but it has never been so plain that it serves the interests of the men and women receiving it. Yet it is intended to be serviceable, for it seems to be some kind of device for bringing God to man and thus mingling the human with the divine. A sacrament from this point of view — as the very word implies — is something sacred, and thus something to be protected and cherished for its own sake.

But nothing is sacred, said Jesus, but the soul; nothing is to be safeguarded, in the last analysis, but man and the uses of man's life. One of the most monstrous and dangerous superstitions which the Nazarene encountered in his career was this idea that there are things outside of man — laws, customs, institutions, sacraments — which are sacred in themselves, and to which man, therefore, must be subjected. This conception Jesus met head on with a flat denial. "The Sabbath was made for man," he said, "not man for the Sabbath." There is nothing sacred, was his idea, except what man makes sacred by his recognition and use. What he can make, of course, he can also unmake. He is the master, not the slave of his handiwork. Therefore his uses and his desires, his own best purposes and ideals, shall in all cases be the determinant of life. Marriage, exactly like the Sabbath, is an institution not to be worshiped, but to be used, and changed, and, if need be, thrown aside altogether. The person, that is, and not the institution, is the central thing. The soul is the only sacrament

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As we have the ecclesiastical concept of marriage as a sacrament, so we have the sentimental concept of marriage as a romance. For the romantic point of view, in itself, I have nothing but respect. We need more, not less, romance in life, especially in this standardized, machinelike age of ours. I would take nothing away from the lovely rapture of two young souls who are entering into the first experiences of marriage as into a story-book romance. I would have them believe that they love as lovers have never loved before, and that life together is to be one uninterrupted dream of bliss. All this is well; such ecstasy will be as an elixir of life when the two lovers awake to find themselves a man and a woman faced by the age-old problem of adjustment to the most intimate, delicate, and difficult relationship in human living. Reality, that is, runs to deep, dark depths unknown to the surface glitter of romance.

Sooner or later we discover that marriage is not a fulfillment, but only a possible beginning of love. The bliss that marriage can bring us is not something given at the start, but something achieved at the end. Marriage in its basic aspect is a challenge, a trial, a great adventure, a hazardous experiment. It is an experience that is not consummated all at once, but lived from day to day, from year to year, drawing upon our divinest qualities of patience, courage, forgiveness, love, for its ultimate realization. Sometimes these qualities are there when called for, and the marriage succeeds; sometimes they are not there, and the marriage fails. Usually they are there more or less imperfectly, and, under the stress of trial and high endeavor, they develop, through mingled failure and success, to triumph. This is the ultimate truth — that every marriage is succeeding and failing in each successive moment; and it is those blessed folk who have the spiritual stamina to push ahead, and endure, and try again with new and braver spirit, who find in the end that true honeymoon which they imagined they had already enjoyed at the beginning.

This is the marriage problem, as I see it — an unending struggle together of two more or less imperfect mortals to find a spiritual equilibrium which shall bring them love and happiness. Into this struggle enter inward psychological factors of poignant potency. Into it, also, break social factors of cataclysmic violence; to-day, for example, the growing economic independence of women is shaking the old-time marital fabric as an earthquake

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shakes a house. The whole thing is thus in the human, not the ecclesiastical, or even the romantic, scale. Its reality is rooted deep in human nature — human nature as modified and molded by its experience in an ever-changing society. It is shot through and through with the inward qualities of personality and the outward factors of social organization. No abstract principles, no absolute ideals, no final causes, can work here with hope of success. Each marital relationship constitutes its own world, to be understood exclusively from the standpoint of its own laws and substance and history.

A married couple in sore trouble are not to be judged as an atom, or fragment, momentarily set apart from some mystic whole. They are themselves, at that moment, the entire cosmos. There is nobody else like them; the world has never seen an experience just like theirs. If they can be held together, well and good. But this must be, not in respect for any outward custom or condition, but only in respect for that inward flame of love which may still be burning. And if it is not burning, if it has flickered out into cold, black ashes: then the two unhappy partners must be separated.

Marriage and divorce are like health and disease. Health is normal, and with perfect men in a perfect world would be perpetual. But the individual organism frequently breaks down within, and as frequently is corrupted or broken down from without. When such disaster happens, a physician must be summoned; and on many a tragic occasion he applies the surgeon's knife. So marriage is normal, and with perfect men in a perfect world would be perpetual. But men are not perfect, and they are not living in a perfect world. Morally, as well as physically, the process of adjustment again and again breaks down. In all such cases there is need of healing, which often means the knife — *divorce!*

Our whole approach to the phenomenon of divorce to-day is wrong. Our whole attitude is that of lamenting it, or denouncing it, or denying it, as an evil. But divorce is *not* an evil. Always it is a consequence of, and frequently a *remedy for*, real evils which spring from the institution of marriage as ill-adapted to the necessities of contemporary man. As long as these evils in marriage itself continue, divorce will remain not only a necessity but on occasion a blessing. It is marriage, not divorce, which worries me; therefore it is marriage, not divorce, with which I am primarily concerned.

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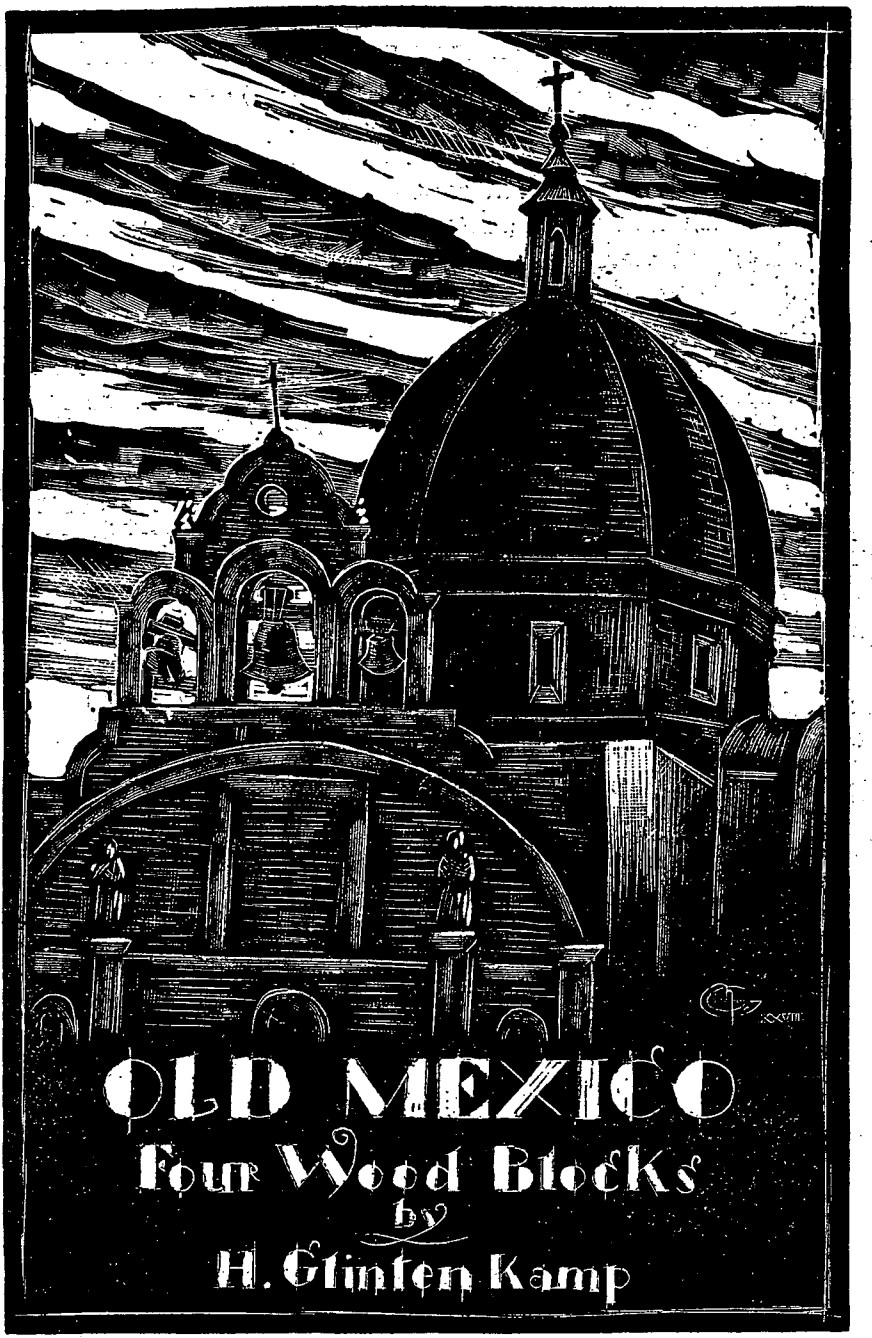

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MARKET PLACE · CHOLULA

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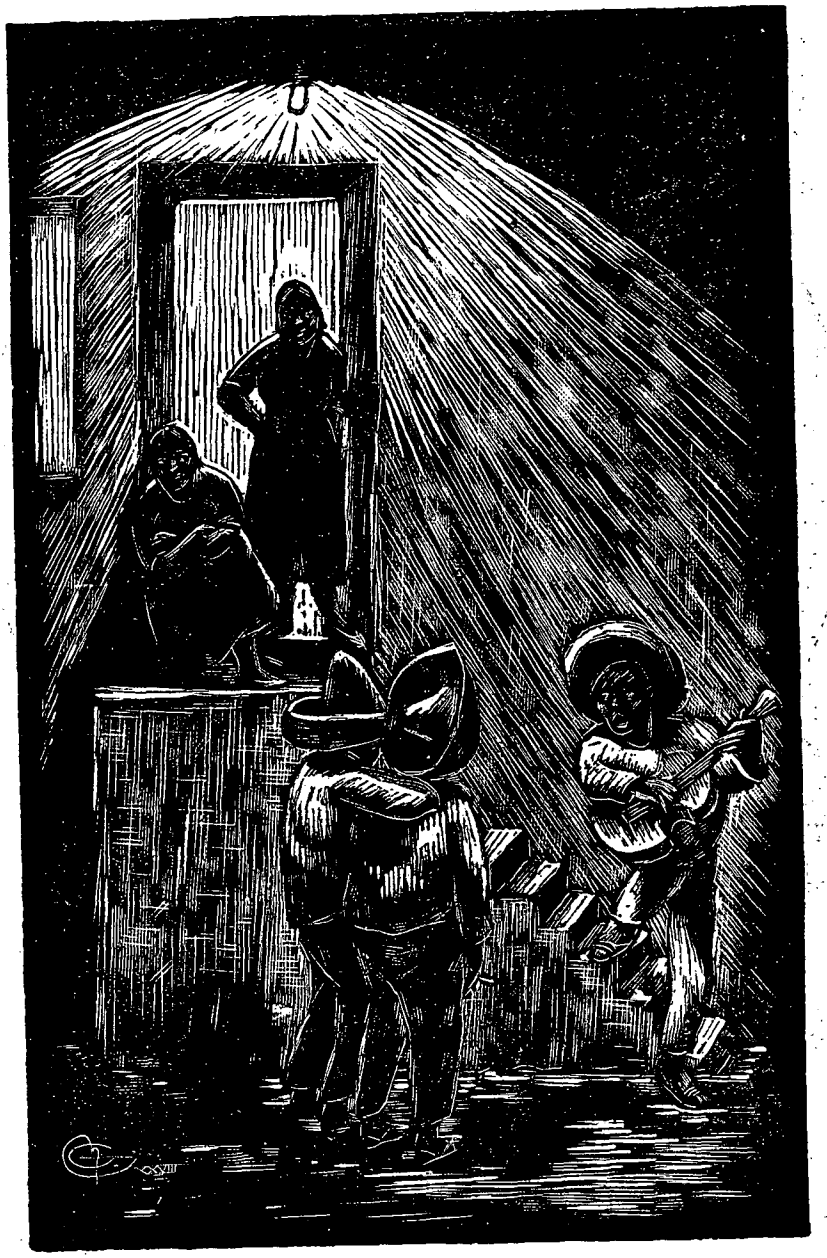

THE SERENADE

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IN THE SUN

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THE YOUTH OF DICKENS

André Maurois

Drawing by Johan Bull

WHEN Dickens died in 1870, in every British and American home his death was announced to the very children as a family bereavement, and it is said that a small boy inquired, "If Mr. Dickens is dead, then is Santa Claus going to die too?"

The anecdote gives some notion of the legendary quality of his fame, which is to-day practically undiminished. In all the English-speaking countries Dickens has remained the great popular writer. This evening, undoubtedly, in some music hall on the outskirts of London, one may still see that curious artist, the "Dickens impersonator" — the man who can mimic the characters of Dickens. He asks the audience to indicate their choice, and from all parts of the house come cries of "Mr. Pickwick! Sam Weller! Little Nell! Fagin! Sairy Gamp! Pecksniff!" Is such a spectacle possible in France? Could one imagine a workman calling out for "Vautrin! Baron Hulot! Madame Marneffe! Rastignac!" I think not, and perhaps it is precisely this which points to Balzac's superiority and his greater complexity. Nevertheless, this phenomenon requires explanation.

Not only has Dickens remained the popular writer of a whole race, but also one may say that to a large extent he has influenced the character of that race. As M. Cazamian aptly remarks, "Dickens has his place among the moral causes which have spared England a revolution." If family life in England is distinguished by a certain atmosphere of tenderness and sentiment, if the brutality of certain spectacles such as public hangings, and of certain institutions such as debtors' prisons, has disappeared from the British scene, if the children of the poor are treated with a measure of kindliness and consideration — Dickens is in part responsible. Few writers have left so deep a mark upon their country, because few writers have been so perfect an incarnation of their race, in its strength as in its weakness.

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Dickens was born in 1812. His first impressions, therefore, began to take shape in the years 1816 and 1817 — a rather extraordinary period in England. It was the intermediary epoch between the rural England of the eighteenth century and the industrial England of the nineteenth. Dickens was able to remember the stagecoaches that halted before the village inn; and this leisurely provincial life forever lingered in his mind as an ideal of happiness. Throughout his youth he watched the formation of a new England. The first steam-driven machines appeared in the factories in 1819; in 1830 the locomotive made its first trip. Suddenly the cities expanded, and the countryside was depopulated. Labor became more exacting, and even children were forced into the harness. Babies of five or six years turned the wheels in the factories for twelve and thirteen hours a day, and nobody protested, because the current philosophy was that of *laissez faire*. Sentiment was in disfavor, and hard facts were glorified.

All his life Dickens rebelled against this commercial spirit; but at the same time — and this is what makes his character so curiously complex — he was himself dazzled by the newly discovered forces. The eighteenth century had been a period of stability in the social order. The noble was in his manor, the laborer in his cottage, and neither dreamed that things could ever change. In the nineteenth century every ordinary citizen wished to better himself; every economist cried, "Make more money." This money-making ideal Dickens adopted in spite of himself. He remained, all his life, a plain member of the middle class, who belonged quite definitely to the England of 1830 and who was at once critical of his age and profoundly impregnated with its philosophy. It is precisely this which makes his childhood so dramatic. Proudly and fundamentally bourgeois in his sympathies, he was forced out of his proper environment by poverty and driven back to the common people.

He was the son of Mr. John Dickens, a petty employee of the Navy Pay Office. His father was both charming and impossible: charming, because he was lively company, a good host, and an excellent story-teller; impossible, because he always spent more than he earned and plunged, with a strange mixture of indifference, light-heartedness, and despair, into a sea of debts. His mother seems to have been rather commonplace — one of those women whose empty and noisy words buzz in every direction like frantic bumblebees.

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There were eight children in the Dickens family, and their life was by no means easy. Nevertheless, the early memories of the little Charles were enchanting. His father's jolly tales impressed themselves upon his astonishingly receptive mind, and John Dickens, for his part, was proud of his son. He was a pretty child, with curly hair and blue eyes, a born comedian, extraordinarily gifted in singing and reciting. Often he was taken to the inn, hoisted upon a table, and allowed to entertain a circle of friends. His father could transform the most trivial family event into a great occasion, at which he did the honors by preparing an admirable lemon punch, whistling the while. Frequently he took his son on long walks in the country and told him stories in which Charles delighted. In this way they visited Gad's Hill, where Sir John Falstaff used to plunder merchants with fat purses or pilgrims on their way to Canterbury. A fine mansion crowned the hilltop. "Ah, how I should like to own that house!" said the little Dickens. "Work hard," replied his father, "and who knows what may happen?"

Gone the Days of Lemon Punch

Unhappily, debts multiplied. The lemon punch grew rare and the tradesmen implacable. It was necessary to leave Chatham for London, and London was not kind to the Dickens family. Bread was lacking and the children wept. Mrs. Dickens, who was adequately educated, wished to open a school; but this enterprise went no further than the placing upon the door of a copper plate which bore the inscription: "School for Young Ladies. Mrs. Dickens." No young ladies ever arrived, nor was any preparation made for their reception, though the little Charles was charged with the task of distributing circulars from door to door. No one came to the house but creditors who carried off the last pieces of furniture. Nothing was heard but abuse. Finally, Mr. John Dickens was arrested and taken to the debtors' prison at Marshalsea.

Imagine how horrible it was for a child of ten — alert, intelligent, and proud — to see his father in prison. He was frightened, disconcerted, and ashamed — terribly ashamed. Alone in the house with a mother who was incapable of helping him, he was obliged to do everything. He blacked the family boots, looked after his brothers and sisters, did the marketing, tried to sell the few possessions which remained, and whenever he had a moment's

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freedom, visited his father at the prison. As the head of the family, he had to earn a living, and at the age of eleven he became an apprentice to some distant relatives — the Lamerts — who ran a blacking warehouse. His task was to cover the blacking pots with paper and paste on the labels. He worked in a basement with vulgar and ignorant boys and earned six shillings a week. A little later, when he had become extremely skilled, his employers conceived the idea of showing him off to the passers-by. He was installed in a window and the little boys and girls of the neighborhood, munching their slices of bread and jam, used to flatten their noses against the pane to watch him work.

To Dickens it was a time of humiliation, and the wounds it inflicted he never forgot. His pity for childhood dates from this period, and likewise the idea — so ingrained in him and so just — that no one can suffer like a child. Even when he had become famous, he never ceased to think of those years, and to think of them with a sense of shame. He spoke of them to no one. His wife never knew what they had been and Mr. Forster — his best friend and his biographer — would also never have known if Dickens had not happened, one day, to make a confession. It was only in the form of a novel that he was able to unburden himself, and that novel was his best book, *David Copperfield*.

Saturday was his favorite day, because then he had six shillings in his pocket. He used to go out and look at the shops, particularly those of the book sellers. Sometimes he bought some stale cake at a bargain. Presently he no longer had enough money to pay the landlord and the whole family went to live at the debtors' prison. Charles alone remained outside the gates in order to provide some kind of a livelihood for his family. A tiny room was found for him, and during the week he worked at the warehouse, while his Sundays were spent at the prison.

Though he did nothing to overcome his ill luck, Mr. John Dickens was always hopeful that something would turn up, and, as a matter of fact, something did. A small legacy permitted him to leave the prison. The youthful Charles, summoning all his courage, explained to his father how painful it was to him to spend his childhood at a dull job, among coarse companions, when he wanted so much to get an education. His father understood and promised to send him to school. Mrs. Dickens — a practical woman who was probably niggardly and certainly stupid — fought this idea strenuously, but Mr. Dickens stood firm and

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sent his son to a Mr. Jones, director of the Wellington House Academy.

Mr. Jones was a fool and a brute who constantly beat his pupils with a long cane. At the academy Dickens became familiar with another phase of the misery of English childhood — a phase which he has described in the horrible schools of *David Copperfield*, *Nicholas Nickleby*, and *Dombey and Son*. As for himself, he stayed but a short time beneath the rod of Mr. Jones. Money was lacking again at home and he had to find another job. He would have liked to be an actor, but was too young; and since he now had a fine handwriting and was a good speller, he became a clerk in a lawyer's office. There he saw a hundred sides of life — first, on account of the constant stream of clients, and second, because he was the errand boy of the office and had to wander all over the streets of London, carrying documents and pursuing inquiries. In two years he had acquired a prodigious knowledge of these streets, of their mystery and of their beauty.

In the interval his father, perceiving that his legacy was almost gone, had resigned himself to work, learned stenography, and become a parliamentary reporter. The young Charles envied his father and found it far more interesting to listen to the debates of the great than to copy from a ledger. For six shillings ten pence — all his savings — he bought an old shorthand manual, and since he was a strong-willed lad who believed that anything worth doing at all is worth doing well, he soon became an excellent stenographer. He was employed at first in the Court of Chancery. Then a newspaper, *The True Son*, engaged him as a parliamentary reporter, and he quickly made a reputation as the most conscientious journalist in London. Every time a minister or a political leader made an important speech in the provinces, it was Dickens who was sent to cover it. He earned five guineas a week and his budget balanced nicely; but now it was his great ambition to be a writer.

The Making of a Novelist

Pause and consider what assets this young man had on entering the literary life. He was, in fact, admirably equipped. A novelist must have, first of all, a wide and thorough knowledge of men and their emotions. Certainly every sensitive and intelligent adolescent can write a good novel — his own autobiography. This done, however, his resources are often exhausted. Some retrieve them-

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selves by a gift of fantasy and write, as novels, charming poems in prose. The real novel, however, must be bred of experience. It is for this reason that youthful novelists are as rare as aging lyric poets; and it is for this reason that nearly all the great novels of the world have been written after the age of forty.

In certain exceptional cases, however, men have been able, from youth, to know life in many varying aspects. A lawyer's office, in particular, appears to be an excellent environment for the production of a precocious novelist. The youthful Balzac was trained in this way, and so was the young Dickens. Consider the astonishing variety of impressions which had already been engraved upon the latter's mind. In fact, if his parents had wished to make him a great novelist and had sought out the career which would shape him most successfully, they could not have devised a training more intelligent nor more complete. And consider also that these manifold sights were seen through the eyes of a child — that is, in a vision at once fresh and distorted. The London of Dickens was peopled by bandits and thieves, such as would naturally be imagined by a nervous and lonely little boy who went walking at night in the fog. His melodramas retained to the end the slightly puerile quality of a Punch and Judy show, for Dickens always preserved the double rôle of a man who has seen many things and seen them in childhood.

On a final reckoning, the balance is favorable. That writer is fortunate whose childhood has been crowded with experiences. The moment he becomes a professional writer, he finds himself absorbed more or less completely by a specialized group, by the world of letters, or by the very world itself, and, even if he escapes these dangers, by the demands of his profession. This new life can enrich him little, or in any case, it enriches him with elements which can never be transmitted to the great mass of men. Moreover, that man is a privileged person who at twenty already possesses the material out of which he may fashion his work. He is doubly so because, even granting that a man can acquire such material at the age of forty or fifty, it is by no means certain that his subsequent span of years will be long enough for him to transmute his experiences into literature. There must be a fallow period so that the actual event may slowly be transformed by the alchemy of the artist's spirit into its fictional form. Passion must have abated before the writer can express it without reticence.

Meanwhile, let us summarize roughly the traits which had

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already been formed in Dickens' character. One finds a child who had suffered, who knew what suffering is, and who was to preserve all his life a kind of sympathy for the poor of which those who have not known poverty are incapable. The first trait, then, is pity; the second, a desire for revenge. But the nature of Dickens was such that his desire for revenge could never take a revolutionary form. He did not want to change the existing order of things, but to improve it by greater charity and kindness. Essentially middle class, essentially bourgeois, his constant ambition was to possess the great house on Gad's Hill. He wished to succeed, and to succeed in a worldly sense. Although he experienced very forcibly the joy of writing, to him the idea of being a pure artist, in the manner of Flaubert, was quite inconceivable. He was an artist because he had an active need of expression, and genuine emotions to express; but he wanted readers — a great number of readers. Finally, he was equipped to win those readers because he was of their kind and yet, at the same time, was rich in experiences of which they knew nothing. Such was the young Charles Dickens, whom life delivered over to letters at the age of twenty.

At twenty-two he tried his hand at writing a short article which he dropped into the postbox of a magazine. The following week he purchased a copy of this publication and had the pleasure of finding his article in print. He wrote a second, with the same success, and then continued the series in a newspaper, *The Evening Chronicle*. He called these articles "sketches" and signed them "Boz." Their success was immediate. The London public was especially enchanted to find the strange poetry of their city at last described — a poetry which is compounded of mist and damp and of that foggy atmosphere which gives to the simplest objects a wild and mysterious air. How strongly the little Dickens had felt that disturbing charm during the period when he wandered alone, at night, through unfamiliar streets on his return from the warehouse! How strongly he continued to feel the curious, homely poetry of that land where — precisely because there is cold and rain and fog without — the hearth, the simmering teapot, and the great fire in the chimney place become precious and moving sights!

"But the streets of London," says Boz, "to be beheld in the very height of their glory, should be seen on a dark, dull, murky winter's night, when there is just enough damp gently stealing

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down to make the pavement greasy, without cleansing it of any of its impurities; and when the heavy, lazy mist, which hangs over every object, makes the gas-lamps look brighter and the brilliantly lighted shops more splendid, from the contrast they present to the darkness around. All the people who are at home on such a night as this seem disposed to make themselves as snug and comfortable as possible."

"Comfortable." One should note this word in the passage, because there is actually a kind of poetry of the comfortable which can scarcely be understood by the Mediterranean races, but which becomes more and more intelligible as one proceeds north. So it is that in Sweden — a country even more cold and melancholy — the poetry of the hearth, as sung by a poet like Bellmann, attains an intensity greater, perhaps, than in England. Yet England is sufficiently bleak to understand the romance of pure comfort, and it immediately lent an ear to the melancholy and delicious music of Boz.

Mr. Pickwick, Born in a Strait-Jacket

Mr. Seymour — a caricaturist who was quite the fashion at that time — spoke of Boz with great admiration to Chapman and Hall, the publishers, and told them that he would like to do some sketches for which Dickens should write the text. It was proposed that they should use, as a point of departure, the idea of a Nimrod Club of clumsy and unskillful sportsmen who would give Seymour an excuse to draw some amusing sketches of riders thrown by their horses, of awkward huntsmen, and of skaters crashing through the ice. Dickens was pleased with the idea, but at the same time he said he did not want to write a text about drawings which had already been completed. It seemed to him much more natural that he should first write the book and that Seymour should then illustrate it.

Thus was Mr. Pickwick born. And it is interesting to note in passing the curious manner of his birth — this frame imposed by chance upon the genius. In similar fashion Shakespeare and Molière created some of their most remarkable characters; thus Michael Angelo discovered his most beautiful postures in the strange shape of a block of marble. It seems that for a very great artist it is necessary to encounter the invincible resistance of a superimposed form.

The first installment of *The Pickwick Papers* was not particu-

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larly successful. After the second, Mr. Seymour, who was a trifle mad, committed suicide, and since the sale had been only fair, the publishers thought for a while of abandoning the series. Then they found another illustrator, Phiz, and decided to continue. Meanwhile, a part of the public began to realize that Mr. Pickwick and his companions were exceedingly diverting, and toward the sixth installment, Dickens suddenly became aware that his Don Quixote had no Sancho Panza. He therefore created a valet for Mr. Pickwick — Sam Weller.

Sam Weller was an immediate and sensational success. He was the most amusing and lifelike character who had appeared in English fiction since Fielding. In the course of a few installments the serial became so popular that people talked of nothing else and tradesmen even borrowed the name of Pickwick for their wares. The book enjoyed a national triumph and was read with as much pleasure by serious and cultivated people as by petty clerks and shopkeepers.

It was not only its humor which made *Pickwick* popular. Little by little, and half unconsciously, Dickens had allowed other characteristic traits to creep into his book. Mr. Pickwick, almost a ridiculous figure at first, had become irresistibly appealing on account of his kindliness and his warm-hearted sentimentality. A complete picture had emerged of a rural, eighteenth century England — an endearing England possessed of that kind of childish happiness which the English find in such simple joys as the pleasure of roaring fires, hearty dinners, and sliding in the winter snow. It was apparent that the author loved his fellow men, and his fellow men were grateful. To be sure, the book had satiric elements; but this satire was employed against beings so obviously wicked that the average reader never thought of identifying himself with them. The heart of the average British reader was touched, for in Pickwick he recognized his better self. In the course of a few months, Mr. Pickwick and Sam Weller had truly become the Don Quixote and Sancho Panza of England.

For a writer, a success so rapid and so widespread has both advantages and drawbacks. The advantage is that he is spared the sour humor of the embittered artist. Moreover, since he acquires self-confidence, he writes with a delightful freedom which is, perhaps, one of the secrets of his charm. On the other hand, popularity brings such delicious rewards that later it is

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difficult to give them up. To please a large public requires a simplification more and more elementary as the number of readers increases. An author who is too widely read is tempted to write for the least intelligent of his readers. For Dickens especially, who was susceptible to glory and who had need of pecuniary success, the situation had elements of serious menace. But at twenty-four fame is a delightful adventure, and never had it come to a man who merited it more.

Mary Hogarth, Alias Little Nell

During the publication of *Pickwick*, Dickens had married Catherine Hogarth, the daughter of one of his former colleagues on the *Chronicle*. His wife had several sisters and one of them, Mary Hogarth, came to live with the young couple. She was a girl of seventeen, grave and gentle, and Dickens soon discovered that it was his sister-in-law, not his wife, whom he really loved. One night very shortly after his marriage, when the three were returning from a play, the young girl was seized with a curious and inexplicable malady and died in the course of a few hours. Dickens' grief was terrible. For several weeks he did not have the courage to continue work, and the publication of *Pickwick* had to be suspended. He decided that he would be buried beside her, and throughout his life her memory never left him. The influence of Mary Hogarth on Dickens' work was profound, and she inspired him with the idea of a gentle, young, and flawless heroine who was to appear continually in his books.

Every writer is thus obsessed by certain types to which he feels himself attracted by strong bonds of sentiment. With Dickens we have already discovered the unhappy little boy condemned to a hard life in a hostile environment, but in which he nevertheless remains good; and this little boy (who is Dickens) will be reincarnated successively as Oliver Twist and David Copperfield. Taking her place beside him, there now appears the young girl, delicate and perfect; and Mary Hogarth will become Little Nell in *The Old Curiosity Shop*, Agnes in *David Copperfield*, Little Dorrit in the novel of that name. Similarly, in the works of Stendhal, Fabrice, Julien, Lucien Leuwen are different aspects of the same person; and in the works of Tolstoy, Peter Bezoukhoff and Levine. Throughout our lives all of us pursue in turn an *I* which is always eluding us and the charming and fleeting vision of a *Well-Beloved;* and through the passing years the changing events of our

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lives bring out certain distinct features which distinguish from each other these successive copies of the same portrait.

The Dickens family reorganized their life. Another sister, Georgina Hogarth, came to live with them, and Dickens went back to work. Success had brought him innumerable commissions. Every publisher wanted to get stories from him for serial publication, and finally he started *Oliver Twist*, which was quite different from *The Pickwick Papers*. This time he did not relate a series of motley and loosely connected adventures but constructed a continuous narrative, a real novel. This was the story of a little orphan boy reared, at first, in that horrible institution — the workhouse — which the new Poor Law had established. At that time the workhouse was cordially hated by the common people in England, and *Oliver Twist* did much to attract attention to its defects. The novel as a whole, despite its exaggerated and slightly melodramatic descriptions, seemed brilliant and moving, and this second book established Dickens' fame at the age of twenty-six.

At the same time that he was bringing out *Oliver Twist* — always in monthly installments of which none were written in advance — he had started the publication of another book, *Nicholas Nickleby*. This showed a great confidence in his powers of endurance and invention, but the Dickens of that period, despite his small frame, gave to all who came in contact with him an impression of unforgettable force. He had need at that time of constant activity. Always dogged by a printer who was waiting for his copy, he worked in the morning from breakfast until luncheon. In the afternoons he was obliged to take prodigious outings, either on horseback or on foot, in order to shake off his intellectual fatigue and to renew contact with those realities of English life which were his stock in trade.

Above all, however, his nocturnal wanderings in London were a necessity to him. It was a habit which he had maintained from childhood and which seemed to be essential to the continuity of his inspiration. Weather mattered little to him. On foggy evenings, or in the rain and snow, he would prowl through the oddest quarters catching and noting a phrase in passing, listening at the door of one shop, glancing at the queer arrangement of another, or following a couple of young blackguards. When, by a long nocturnal stroll, he had thus renewed contact with his London, the morning's work was easy for him.

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This alone was what he needed — this intense, common life of a great city. The social world could do nothing for him. Naturally his success had brought him a thousand invitations and he was sought out by drawing-room society. For a time he went with pleasure to Lady Blessington's, but he was never completely at his ease. He had too many memories of an unhappy childhood. As soon as he was in a drawing-room his accurate eye ceased to be a marvelous instrument for the registering of impressions. His vision became warped and he saw only the unpleasant side of people. He knew that his strength depended, rather, on the great mass of readers who experienced the same simple emotions as himself. Supported thus, he felt himself invincible.

The Creative Moment

In the life of every novelist of genius, there usually comes a moment when he believes himself capable of creating worlds, of sustaining a universe by himself. It is then that he conceives architectural projects which are almost Babylonian in magnitude. It is the moment when a Balzac shapes the plan for a *Comédie Humaine*, and a Flaubert devises the idea for such books as *Salammbô* and *La Tentation de Saint Antoine*. Dickens, after the publication of *Nicholas Nickleby*, felt himself as powerful as a demigod. He conceived the idea of a magazine constructed somewhat on the lines of Addison's old *Spectator* — that is, a periodical which should bring certain fictional characters into almost constant contact with the actual daily life of the country. He would choose heroes who should meet every week on some pretext or other to tell tales and to speak of the sights they had observed and the books they had read.

Little by little the plan for this magazine took definite shape in his mind. The central character was to be an old man, Master Humphrey, who lived in a quaint house with a curious clock which he looked upon as the companion of his long evenings. The publication was to be called *Master Humphrey's Clock*. The old man was to keep various ancient manuscripts in the interior of his clock and each week he was to read aloud one of these manuscripts to several of his neighbors.

The serial started in this form and seventy thousand copies were sold of the first installment. But as soon as his readers discovered that this new venture by their favorite author was not to be a continued story, they were disappointed and refused

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to read it. The sales dropped after the second installment. Dickens was broken-hearted, for he was oversensitive and could never work except in an atmosphere of sympathy and universal affection. In an effort to regain the popularity which was so necessary to him, he tried, in the third installment, to introduce those old favorites, Mr. Pickwick and Sam Weller. Even this, however, was without avail. On the other hand, one of the stories which Master Humphrey had started to tell — *The Old Curiosity Shop* — took the fancy both of Dickens and his public. He saw at once that the tale contained the material for a long novel, and with superb and naïve self-confidence, he decided to abandon completely the story of Master Humphrey and to transform the periodical into an ordinary serial like his other books.

The Old Curiosity Shop was a touching and tragic tale of a child called Little Nell who was surrounded by cruel and terrifying characters. The more Dickens worked on it, the more he identified Little Nell with the memory of his sister-in-law, and, since a genuine emotion is always communicable, the sympathy of the public had never been more intense.

The book was immensely successful and did much to increase Dickens' reputation. He had managed to achieve a quality of homely pathos without sacrificing anything of his natural humor, and the combination was a rare and precious one. I can never reread these early books of Dickens without thinking of something which the English novelist, George Moore, said to me one day. We were speaking of Anatole France. "Yes," said Moore, "he is a great writer, if you will; only he believes that life is a comedy. Life is not funny — it is enchanting." I do not think that Moore was right in regard to France, who knew very well that life is tragic; but I do believe that he expressed an essential truth. Life is both comic and tragic, and for this very reason it is enchanting. Dickens understood this dual quality and combined the melancholy charm of human life with its vague and secret gayety. Undoubtedly others, like Sterne or Goldsmith, had done the same before him; but, perhaps because his unhappy childhood had involved him for so long in the life of the common people, he was more capable than they of sharing his emotions with a whole nation of readers.

Next month, "Dickens as a Novelist," by André Maurois.

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DREAMS

D. F. Fraser-Harris, M.D.

THE illustrations which accompany this article are pictures of real dreams, reproduced from a book by Percy Goldthwait Stiles, entitled "Dreams," published last year by the Harvard University Press. The author of this book, while professing himself an amateur in the subject, kept a record of his own dreams over a period of years, in many instances sketching them immediately upon awaking. They furnish striking corroboration of his theory that dreams are dramatizations of sensations and emotions.

A DREAM is caused by the activity of a part of the brain during sleep. All our sensations are produced by the activity of sensory brain centres which have received nerve impulses from the several sense organs. Stimulation of the retina of the eye produces vision; of the internal ear, hearing. But that which most clearly distinguishes dreams from other kinds of cerebral activity is that in dreams the source of stimulation is not always apparent to the dreamer. Nor is the stimulation itself clearly recognized in its true quality; it may be so transmuted that the dreamer can trace no connection between the image he perceives and its sensory cause.

The vast majority of dreams are of seeing something; which means that, although the eyes are closed, the brain centre for vision must be functioning. Since the eyes are closed, therefore no nerve impulses can be ascending to the centre for vision. Why, then, should this centre be active? The puzzle is solved when we realize that nerve currents can reach the centre for vision even though they have originated in parts of the body other than the eye. Since the eye is so extremely important in our psychic life, its accessibility is very high — high enough for it to be stimulated by outside impulses. Hence nerve currents originating in the skin, the muscles, the ears (which cannot be closed), or in the internal organs of the body, may pass over from their proper brain centres into the centre for vision and give rise to pictorial dreams. Thus even such trivial disturbances as a person's own snoring may result in dreams of the visual type, and any noise heard during sleep may produce a dream of this kind.

Continence

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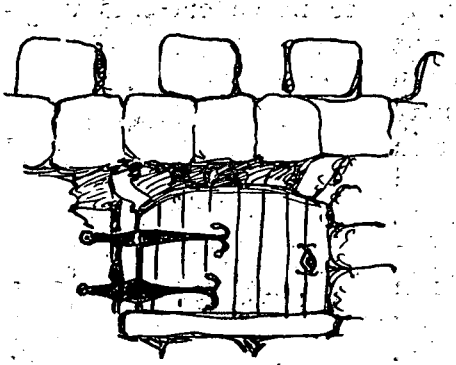
But there are also other types of dreams. Sensory centres other than the visual are often in operation during sleep, as when we dream of voices or music, or of flying or falling through space. The centres for smell and taste are very rarely active during sleep, but muscular sensations — especially when disagreeable or painful, like lumbago — and nerve pains — such as sciatica and other forms of neuralgia — may be powerful dream producers. "Growing pains" in children, which are caused by rheumatic inflammation of the membrane covering the bones, have been observed to have this effect.

Skin sensations are responsible for a large number of dreams. Changes of temperature and uncomfortable positions in bed are the most common causes. If the bedclothes fall off, the sleeper may dream that he is at the North Pole; if the night is very hot, he may dream that he is in a burning house. When the famous Dr. Gregory (of "Gregory's Mixture") fell asleep with a bottle at his feet that was too hot, he dreamed of walking on the burning lava of Mount Etna.

Many years ago the Frenchman, Alfred Maury, made himself the subject of experiments in dream production. When his lips were tickled in sleep, he dreamed of having a pitch-plaster pulled off his face by the old doctor of his childhood. When drops of water were allowed to fall on his forehead, he dreamed he was in Italy, that the day was very hot, and that he was perspiring and drinking wine. Maury also experimented with the sense of smell and found that when a bottle of perfume was opened under his nose, he dreamed, appropriately, of being in a perfumer's shop in Cairo.

Sounds can unquestionably produce dreams, and very likely the dream will be a vision without any associated sound. A striking instance, however, of a dream both of seeing and of hearing, which was traceable to sound, is the following. The sound was that of hammering on a car that was being repaired in a neighboring garage one summer morning when the windows were open. A lady, not sufficiently dis-



Headache

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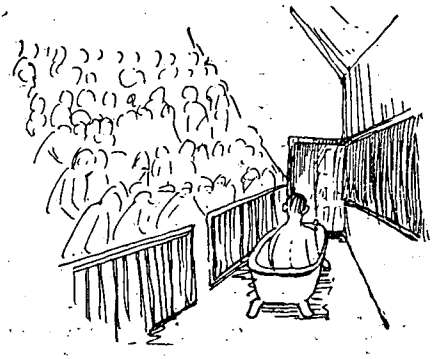

Humiliation

turbed to be awakened, dreamed that she was one of a party at dinner in a restaurant, and that she was annoyed by the presence of a woman at a near-by table who wore on her wrist a bangle which struck her plate every time she moved.

I can recollect very vividly a dream I had many years ago in which the external stimulation came through the ears alone. I was staying at a country house, and one morning a very stupid housemaid tried to awaken me by knocking at my door with so slow a rhythm that the sound failed to do more than disturb my sleep. In consequence, I dreamed of the bombardment of Alexandria, which had just taken place; that is, I saw ships and guns and heard them firing, each knock being interpreted as one more gun going off.

Very occasionally dreams *are* produced by stimulation of the eyes, as when a person sleeps so that the rays of the rising sun pour into the room and penetrate the eyelids. In one such instance a sleeper dreamed of dragons whose mouths emitted flames of fire. It has been suggested that the visions which dying persons are commonly reputed to have of bright beings in heaven, may be explained as visual dreams arising from the light falling into the eyes of such persons when they are virtually unconscious of their real surroundings. "For in that sleep of death what dreams may come!"

Possibly the most familiar causes of dreams are the nerve currents which arise in the internal organs. Such disturbances as indigestion, colic, embarrassed heart action, uncomfortable breathing, or a distended bladder may be the sources of vivid and often disagreeable dreams. The late "lobster supper" bulks large in the popular belief as a cause of dreaming. Doubtless a very indigestible supper taken too near the time of going to sleep is apt to have this effect; so, too, is any unusually intense activity of any part of the alimentary canal. The wise physician warns his sensitive patients that when they have taken a pill at bedtime, they may expect to have their sleep disturbed by dreams.

Asthma and abnormal states of the heart and lungs can be the

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sources of disagreeable dreams of the type so characteristic of diseases of the chest. The "repeater" — the dream one has over and over — is probably related to the rhythmic movements of such organs as the heart and lungs, the essence of whose functions is periodicity.

When a dream is unusually disagreeable or very horrible, we call it a nightmare, or incubus. In such instances we seem unable to do something — utterly unable, for instance, to fly from an appalling spectre, or to extricate ourselves from some terrible position. We cannot scream or struggle even when we are bound hand and foot and are about to be cast into the sea. We are "cabbin'd, cribb'd, and confin'd" against our will, and our distress is extreme. The ancient Egyptians believed in a hideous female demon, Labartu, whose office it was to produce nightmares. She was also responsible for bringing all kinds of evil upon children, and there are prayers extant, craving to be delivered from the incubus of Labartu. Some delicate children are subject to dreams so frightful that the little sleepers may awake screaming with terror. These are the "night terrors" of children, which, rightly taken, indicate some instability of the young nervous system.

If, then, the vast majority of dreams are the psychical aspects of the activity of the visual centre, how can persons blind from birth dream, since they have never used their visual centre at all? The answer is that such persons dream by means of their other sensory centres — those for hearing, touch, perception of heat and cold, and for the muscular sensations. Thus a congenitally blind boy dreamed of Alexander the Great because he heard guns firing (his anachronism of guns in the time of Alexander must be pardoned). A blind man, after touching a cold corpse, dreamed that his mother was dead. Another dreamed of the Day of Judgment; he felt himself being pulled up to heaven by a rope and heard trumpets. In short, blind persons dream in terms of the only brain centres they have used.

According as the dream arouses emotion or intellectual coöperation, it tends to overflow into other portions of the central nervous system. Thus the nerve energy aroused by a highly disagreeable dream may overflow into such channels as the nerves to the heart, causing palpitation; into those of the sweat glands, giving rise to perspiration; into those of the tear glands, giving rise to weeping; and into those of the body muscles, giving rise to

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trembling. The commotion may be such that the sleeper wakes in acute distress; or, as the "Ingoldsby Legend" puts it, he dreams of the devil and wakes in a fright.

Occasionally the nerve energy is unconsciously directed downward into the spinal cord centres where it calls forth the coordinated movements of the lower limbs. The dreamer then leaves his bed and takes to walking about, often in dangerous places. This is somnambulism. But every person who walks while asleep is not a somnambulist. A somnambulist is one whose dream requires to be acted out through walking — he walks, not merely while asleep, but *in* his sleep.

As is very well known, the motor overflow may be into the centres for speech, causing the dreamer to talk in his sleep. Occasionally the associated emotions and ideas produce smiles and laughter — most frequently in children. Often what is said is merely gibberish; but at times some meaning is conveyed to a hearer by words which are perfectly coherent. This speaking in sleep has been called "somniloquence." Occasionally the dreamer reveals what he would never have disclosed if he had been in possession of his full consciousness. Thus it has been remarked that, just as there is *in vino veritas*, so is there *in somno veritas*.

The dream overflow is clearly seen in animals. A terrier of ours, asleep opposite the dining-room fire, wagged his tail whenever dishes were rattled in the pantry. Doubtless the rattling of the dishes aroused a dream of food and this overflowed into the customary channels by which he expressed his emotions.

So far, we have been concerned with the causes of dreams. We have seen that a dream, while not precisely "the baseless fabric of a vision" as Shakespeare said (for many dreams do have discoverable origins in the external world), yet the dreams themselves correspond to no objective reality, being merely chimeras in the mind of the sleeper. We are now, perhaps, in a position to estimate what may be called "the characteristics of dreams."

The first thing we notice is that the majority of dreams seem pure nonsense — a series of scenes mixed without method in a fantastic jumble. On the physiological side, this may be explained by the fact that the nerve impulses, having gained access to the visual centre in an improper manner, continue to wander through its mazes without the guidance of the fully developed critical consciousness. Indeed, in dreaming, the critical faculty is conspicuous by its absence. Nothing surprises us. We see long-

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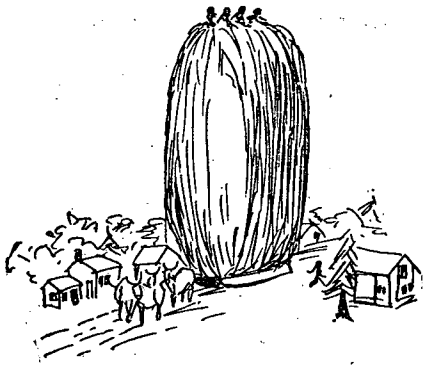

Stomach Ache

dead relatives standing before us, and we exhibit no concern. We question nothing, we investigate nothing, we infer nothing. Everything is taken at once for what it appears to be, and at its own absurd face value!

In the next place, we have no external standards in dreaming. We have lost our sense of time and our appreciation of chronological sequence. Everything is an eternal *now*. Hence the most absurd anachronisms are viewed with an astonishing lack of surprise. The past is mixed with the present in a ludicrous kaleidoscopic chaos, and we survey it with the detachment of a judge on the bench. In this respect, dreams are true to the type of real hallucinations, in that we *do* think, for the time being, that what we see and hear has a valid, external existence. So it is with a madman. Never for a moment does he question the reality of his hallucinations, and sometimes he acts upon them with disastrous consequences. In our dreaming, we too are as mad as the maddest inhabitant of Bedlam.

But the human mind detests the unexplained. Even the savage has an explanation of his dreams. He believes that when he sleeps his "soul" leaves his body and wanders in the "Land of Dreams." Indeed, from the earliest recorded times men have assumed that dreams have a meaning and they have made strenuous attempts to interpret them. At the courts of Oriental rulers, the interpreters of dreams were as essential as the magicians, the astrologers, and the sorcerers. This is clearly brought out in the Bible, for Joseph owed his elevation as "ruler over all the land of Egypt" to the explanation he offered of Pharaoh's dream, which had baffled the professional interpreters. Daniel had an exactly similar experience at the court of Nebuchadnezzar.

Even to-day many people are firm believers in revelations given to the sleeper in his dreams. The following is an interesting and well-attested case of this kind:

> Edmund Nevell, a sailor on board the steamship "Orient," dreamed one night, when off St. Helena, that he saw his twin brother, to whom he was greatly attached, being murdered by two men. In the morning, much distressed, he related his dream to the captain, who was so im-

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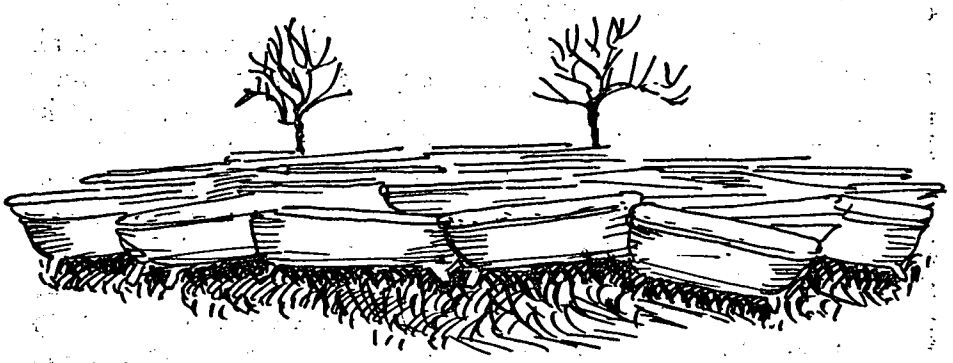
pressed that he insisted on Nevell's being landed at the nearest port. On reaching England, Nevell learned that his brother had indeed been murdered at a moment which corresponded as nearly as could be calculated to the time of his dream. Edmund proceeded to Wadebridge, called at the local police station, and asked that a couple of officers might accompany him. Then he led the way to the outskirts of the town, guided only by the resemblance in all about him to his dream. On reaching a certain house, he knocked on the door, which was opened by a man whom he at once recognised as one of the murderers he had seen in his dream. The man was so terrified at the sight of what he took to be the apparition of his victim (the twin brothers were very much alike) that he confessed there and then that he and his brother, named Lightfoot, were the murderers. They were duly tried, convicted, and hanged as the result of Edmund Nevell's remarkable dream.*

In sober truth, cases such as this, where valuable information is given, are extremely rare. Sometimes they are accounted for on the theory of mental telepathy. While it cannot be said that dreaming is never a form of telepathy, we cannot hope to explain dreaming in terms of something even more mysterious.



Grief

Aside, however, from this aspect of the matter, the belief that dreams *must* mean something is held to-day both by the servant girl with her "Dream Book" and by Dr. Sigmund Freud of Vienna with his psychoanalytical tomes. Certainly modern psychology has not shrunk from the attempt to interpret the meaning of the mysterious dramas of sleep.

One modern explanation is based on the psychological doctrine of double personality. This theory regards our mental constitution as made up of two parts — the conscious, or supra-liminal, and the unconscious, or sub-liminal. This theory of the "sub-

* London *Sunday Express*, November 6, 1927.

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liminal self," or *alter ego*, was the great contribution of the late F. W. H. Myers to the psychology of the Victorian era. His assumption — for it was no more than that — was that in dreaming the sub-liminal stream of consciousness supplants the supra-liminal. It is difficult to see why the experiences of this second self should be so chaotic and lawless. If there is a method in this dream madness, it has not yet been discovered.

As is well known, the most serious and elaborate attempt to interpret dreams is that associated with the name of Dr. Freud. For, although the interpretation of dreams is only a part of Freud's system of psychoanalysis, yet it is a very prominent part. It is his underlying notion that every mental state — no matter how trivial — is pregnant with meaning. To state it briefly, Freud explains a dream as the uprising into consciousness of previously suppressed mental experiences, which may have been gone through at some time in one's own past life, even so far back as the infantile period, or which may have had a still more remote origin in the life of a distant ancestor.

But more than this, Freud sees a sexual import in almost all these suppressed experiences. It is true, of course, that tendencies and desires must sometimes be suppressed when they are not in harmony with the exigencies, restrictions, and conventions of modern society. When the restraints and trammels of our artificial mode of modern living are removed, all kinds of unsuspected inclinations and desires may assert themselves and, during sleep, may brim up into the realm of conscious perception. Thus erotic propensities, and even those which the law calls criminal, may be made manifest. But even allowing that many dreams do have erotic associations and origins, some of us think that Freud has greatly exaggerated this aspect of the matter. He has invented an elaborate terminology to account for the most obvious characteristics of our nightly visions. In itself, it is a little suspicious that so complicated a procedure should be necessary to arrive at the meaning of so familiar a phenomenon as a dream.

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SUCCESS

HENRY FORD *

STUDENTS of world progress recognize that there is a time for everything. Like the opening of a flower or the budding of a tree, certain events cannot be forced ahead of their time; nor, conversely, can they be disregarded after the time for their appearance has come. Therefore it behooves the man — especially the young man — who wishes to have his part in the progress of this world, to watch the signs of the times and be ready at the proper moment to take his place in the procession of human events.

Not only in industry, but in all lines of work is this so. In the scheme of progress each unit has its logical place, which no other can fill. As a case in point, the automobile and the airplane could not be successfully developed until the internal combustion engine had been invented. Earlier engines, such as steam engines, were too heavy; they weighed too much per horsepower to be practical for use in these two new vehicles of transportation. But with the coming of the internal combustion engine it was possible to concentrate in a small place and a small weight an enormous amount of power. Thus it enabled us to develop the automobile and, later on, the airplane. One invention makes way for another; one discovery lights up the path ahead so that he who runs may read — and lead.

Similarly, the development of industry was long delayed because one link in the chain of progress was missing. When that had been forged, industry shot ahead to its present high rate of production. I refer to the matter of long-distance power transmission. Back in the days when machinery had to be run by steam or water power, cables and belts were the only means of power transmission. This meant that factories had to be located in the immediate neighborhood of the plant, or on the bank of the stream from which power was derived. The natural tendency was for industry to group itself around large sources of power. Thus centralization was brought about, and on its heels followed quantity production. The mere idea of quantity production was a great step forward, but its consummation was hampered by the very condition that had given rise to it. So long as centralization

* Authorized interview by Fay Leone Faurote. Copyright, 1928, by The Forum Publishing Co.

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was necessary, so long as manufacturing could be carried on only by the limited number of factories that could crowd around the various sources of power, quantity production on the present scale was impossible.

The Missing Link in the Chain of Progress

Then within our knowledge — within our century — electricity was discovered. Electricity possessed this great advantage over all other kinds of power previously produced: it could be instantaneously transmitted over great distances by wire. Power could be generated in one spot and sent out to any number of factories all over the country. The necessity for centralization had been eliminated, and manufacturing went ahead on a larger scale than ever.

Light, heat, and power — think what has been accomplished by this one idea put into action! And the power age has barely begun. In our own shops we are constantly improving our method of manufacture, with an eye to efficiency, economy, and the safety and comfort of our employees. Belt transmission has been entirely supplanted by electrically driven machines, which frees us from the danger and annoyance of wheels and belts whirling overhead. Our furnaces, most of which are electrically heated, are so constructed and insulated that the men work in front of them without discomfort. There is no smoke or gas except in a few processes, and, in these, electric ventilators carry off all disagreeable odors and unhealthful fumes.

The increase in the scale of production does not mean that craftsmanship has gone. From the earliest times machines of some sort have been in use. It took craftsmen to make and use machines then, and it takes craftsmen now. The hand and the brain and the eye have functioned together ever since man came upon the earth. The hand-made age is still with us, but it has been refined and advanced until it stands on a higher plane than when men used wooden plows and primitive potter's wheels. We value the things of the past because of their association; they were steps toward those of the present. But as needs have grown, means of production have been increased and improved.

It has been asserted that machine production kills the creative ability of the craftsman. This is not true. The machine demands that man be its master; it compels mastery more than the old methods did. The number of skilled craftsmen in proportion to the working population has greatly increased under the conditions

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brought about by the machine. They get better wages and more leisure in which to exercise their creative faculties.

There are two ways of making money — one at the expense of others, the other by service to others. The first method does not "make" money, does not create anything; it only "gets" money — and does not always succeed in that. In the last analysis, the so-called gainer loses. The second way pays twice — to maker and user, to seller and buyer. It receives by creating, and receives only a just share, because no one is entitled to all. Nature and humanity supply too many necessary partners for that. True riches make wealthier the country as a whole.

Most people will spend more time and energy in going around problems than in trying to solve them. A problem is a challenge to your intelligence. Problems are only problems until they are solved, and the solution confers a reward upon the solver. Instead of avoiding problems we should welcome them and through right thinking make them pay us profits. The discerning youth will spend his time learning *direct methods*, learning how to make his brain and hand work in harmony with each other so that the problem in hand may be solved in the simplest, most direct way that he knows.

The Dead Limbs of Life

We can get rid of a tremendous number of the bothersome things of life if we put our minds to it. The number of needless tasks that are performed daily by thousands of people is amazing. It is the work of men with vision to trim out some of these dead limbs of life. Some of our industrial leaders have already done a good job in their own front yards, but the commons of life need attention too. Trimming out dead wood hurts no one. After all is said and done, our one great problem is the problem of life itself, of which industry is one of the tributary activities.

It is easier to denounce a wrong than to tackle the job of curing it. We cannot evade our job by blaming the past. The past took care of itself, and it depends on us to take care of the present. Many things that were thought in the past to be right we have found to be wrong. But — and remember this — none of the things believed to be thoroughly wrong have we found to be right. Even wrong things have to pass through a period of being thought right before they can be known as wrong. When we find out their nature, our responsibility begins. It is this generation's duty to the next to start at once to make room for the right thing.

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Our fathers thought that life was hard, but we are beginning to see how preventable some of its hardships are. We have come to believe that there is no necessity for economic distress in a world so richly furnished with resources. Men are searching with sharp eyes for the defect in our system which prevents a man from working when he wants to work and his responsibilities require it. Economic stoppage is not natural. This defect is not in the created order of things; it is in the human order. Our selfishness, our lack of wisdom have created it. If we have established a money system which can be manipulated to the hurt of multitudes, it is as certain as fate that the system is doomed. The very discovery of insufficiency is its death warrant.

Something Rotten in Economics

Some people think that everything will be rectified when war is abolished. Well, let nothing interfere with the abolition of war. But sound thinking insists that war will not be abolished until its roots are cut; and one of its main roots is a false money system and the high priests thereof. But more of that later. What causes war is not patriotism, not that human beings are willing to die in defense of their dearest ones. It is the false doctrine, fostered by the few, that war spells gain. It is this that makes war, and there are not enough pacifists who see it and attack it. The fact that pacifists are left in peace is proof they are not attacking the real causes of war. If pacifists spoke the truth, they would not be petted as they are to-day; theirs would be the hard lot of the martyrs of truth.

We often speak of the ignorance of the past; but our distant forefathers were no more ignorant than we. They were grinding the grist of experience through the mills of the mind, and were discovering what was good and what was bad for them. That is all we are doing. What will be known in the future as the ignorance of this present generation is just the residue of discoveries which we shall not have time to make. Our responsibility is not to create a perfect world, but to establish our discoveries of what is right by weeding out what we have newly discovered to be wrong, leaving to the future its task of the same nature.

One of the principal duties that devolve during periods of change is the duty of *conscious allegiance*. To-day, conscious allegiance costs something. At the very first it means division between those who are loyal to moral convictions and those

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who are not. The majority of the people are naturally straddlers. They are not in the world to pioneer but to be as happy as possible. If pioneering in a cause brings discomfort, they would rather not be among the pioneers. They would rather stand on the side lines and, in the combat between truth and error, wait and see which proves the stronger. Though they may have a lazy faith that truth at last will win, they do not wish to lend a premature support. Yet majorities are essential, not to the truth, but to the acknowledgment of the truth. There are some opposites in the world that should never be reconciled. There are some programmes that should never be harmonized. What frightens some people is that they want to be happy, to live and let live without being bothered. They would like to enjoy the world as it is, and if there are those who would improve the world, let them do so — but not in a way that interferes with their present happiness.

The most important work that faces the young generation today is making the world a better place to live in. There are thousands of great tasks waiting to be accomplished. There are innumerable opportunities in the three great arts — agriculture, industry, and transportation. The youth who can solve the money question will do more for the world than all the professional soldiers of history.

The Three Principal Arts

I have often said that mankind passes from the old to the new on a human bridge formed by those who labor in the three principal arts — agriculture, manufacture, transportation. We are a bridge generation. The complaints that we hear concerning the slowness of the world's change from worse to better come mostly from people who would rather be the crossing throng than help support the bridge upon which humanity passes. Fortunately for all of us, ours is not the choice.

There is a group of people who believe that the millennium will be brought about by a new system of distribution. They do not realize the fundamental truth that all things of value have always been distributed. The problem is to *use* them. It takes thinking, and there is no substitute for that. All the treasure chests of industry may be unlocked by this key. Look at our natural resources, our undeveloped water power, our unused forces of nature. Often a single right idea put into action is enough to make them mankind's slaves.

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The truth of things escapes us, mostly because truth is so simple. Truth is a seed within itself; its nature is to reveal itself first to one or two, then ultimately to all. At a pace dependent upon our receptivity and in a manner measured by our mentality, we must do the work that destiny has given us if we would pass on to the next generation its rightful heritage. Don't be afraid of the changing order. It may look like chaos, but when the passing débris of the old has been cleared away, there will be found a thousand new opportunities teeming with promise and power.

Talkers and Doers

Youth has one great element in its favor — it can live in the future. The world of to-morrow belongs to the young man of to-day; he can begin shaping the world now. No age has ever presented the tremendous opportunities of the present, but along with these opportunities are proportionate responsibilities. With the changing wheel of ambition, boys no longer regard the talkative professions as more important than the manual. They realize that there are gigantic tasks to be done and that these will be accomplished by doers rather than talkers. The man who does things is vastly more important to the world than the clerk who merely makes the record of others' achievements.

Youths have a tremendous advantage over their elders in possessing the power of vision without the drawback of retrospect. They bring fresh eyes and fresh minds to old tasks. They are not tied down by the traditions of the past; they are not slaves to the failures of others. Their concern is not so much with what could have been done in the past as with what can be done in the future. What they make of it will depend on what they make of themselves and the opportunities or tasks which are now before them.

Of course, education has its limits. Education and ability to do things are not interchangeable terms. You cannot educate brains into a man's head, but you can help him to make the most of the brains he has. A man who cannot think is not an educated man, no matter how many college degrees he may have acquired. One who can think things out usually can do them. An education which consists of signposts indicating the failures and fallacies of the past is doubtless useful. Many men are at work to-day on theories fundamentally wrong, ignorant that other men have followed that road and have had to come back. So schools are

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useful if they show the blind alleys of human endeavor. Then they must help to put men in possession of their own powers. But they cannot do this without the earnest desire of their students to be so helped. Inventors, by the way, are not made by education; but if they have enough education to spare them the mistakes of the past, it saves their time.

Most of us are doing two things — that by which the body is kept alive, and that by which the higher part of our nature lives. We go to the job to pay expenses and then we indulge ourselves in what we like to do and maybe were meant to do. The whole secret of a successful life is to find out what it is one's destiny to do, and then do it. Some day there may come to one the duty to do a disagreeable task, to take up a cause which will yield no reward — a cause which will at first surround one with misunderstanding and abuse, and which will make one look like a fool before men. One naturally shrinks from it. But when a man is sure of what he has to do, he should go ahead full speed. To be right means mainly to be in tune with destiny and willing to obey. It does not necessarily mean to be agreeable, nor to be agreed with, nor to be popular; it does mean to be useful in the purpose which destiny is trying to achieve in us and through us. If a man is right, he need not fear to stand alone; he is not alone. Every right idea that is put forth has many silent adherents.

There is a great deal of nonsense spoken about the "lonely heights" — they may seem to be lonely, but they are only silent. The loneliness comes when a man settles within himself whether he is to be a mere form following a conventional routine or whether he is to listen and obey the voice of a changeable life. It is lonely while he is deciding. If he decides to do what duty bids him, then he is no longer lonely. He comes at once into the fellowship of other people who are thinking as he is, but who have been waiting for a leader to declare them and their principles.

TO KNOW SILENCE PERFECTLY

THERE is a music for lonely hearts nearly always.
If the music dies down there is a silence
Almost the same as the movement of music.
To know silence perfectly is to know music.

— *Carl Sandburg*

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THE WARDENS OF THE SHOALS · WILLIAM McFEE

WOODCUTS BY HOWARD COOK

I dip and I surge and I swing
In the rip of the racing tide,
By the gates of doom I sing,
On the horns of death I ride.
A ship-length over-side,
Between the course and the sand,
Fretted and bound I bide
Peril whereof I cry,
Would I change with my brother a league inland?
(*Shoal! 'Ware shoal!*) Not I!
— *Rudyard Kipling.*

THE taxi, yellow and black and with tremulous fenders, ran down Walnut Street and pulled up on a timber jetty, as though suddenly afraid of an unfamiliar element. There was the harbor, with Fairhaven on the other shore. The sun caught the weather vane, which is a sailing ship, atop the Seaman's Bethel on Water Street, and the Fairhaven ferryboat hurried over with a steady persistence suggestive of urgent private business. There was a smell of fruit from the Water Street market. Up the dock was an iron bark of foreign registry. There was a crane lifting rocks and putting them into a truck. Beyond this, made fast to the end of the jetty, was a small steamer, very spick and span. She flew a pennant from her bridge halyards — a blue lighthouse on a white ground with a red border. This was the "Anemone," belonging to what used to be called the United States Light House Establishment. Nowadays it is under the Department of Commerce and is called The Light House Service. The taximan thought this was what his fare had inquired about. He couldn't go any further. When he was paid he turned and ran away up the hill again, as though glad to reach the more familiar tides of traffic flowing through the streets.

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A three-cornered meal with as many helpings as you want.

The "Anemone" was taking on stores. She was due to leave immediately. The commander — a short iron-gray personage without any airs whatever — accepted the situation as part of the day's work. He invited his visitor to make himself at home.

That was easy. A quick look around the cabin locating the various doors and scuttles, and then there came clanging up the polished oak stairway the familiar sound of a steward's bell. Dinner. Along the working alleyway, upon which the engine room and galley opened, was the mess room. Here were the sort of men I knew something about, the sort of food I had shoveled into

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myself all over the world. No menu cards here. A three-cornered meal with as many helpings as you want. Old Man at one end of the table, chief at the other. Ranged around were the two mates, two engineers, the wireless chap, and a couple of reliefs going out to the lightship. The steward, in a white coat, proffered great trenchers of provender. There was the beginning of mild joshing. One of the reliefs evidently was used to this. When a man was through, he would crack a joke, reach for the toothpicks and his cap, and go out to his work. The reliefs, still free of duty, exchanged notes upon domestic affairs.

It was like getting home again.

Soon we began to move. The ship had twin screws. Up in the wheel-house it seemed she was about as difficult to manœuver out of that wide, free-flowing estuary as a Ford in an empty highway. As we moved, a party on the foreign bark, which was registered out of a West Indian island, began to go ashore. They were shepherded by the dark-visaged mate, who was smiling. They were shore people with cameras. One of them — a girl with extravagantly high heels — tripped over a mooring hawser. As they helped her up, they looked for a moment at the "Anemone," her fore-deck cluttered with enormous gas buoys and heaps of stores. But they had no knowledge of the sea and did not understand. We swung into the fairway, and the commander pushed both engine room telegraph handles to "Full Ahead."

Outside Buzzards Bay was smooth. A coast guard vessel, "Number Twenty Eight," passed us, bound inward. We were heading due west now for the "Hen and Chickens Lightship," which is off Gooseberry Neck and hard by the Dumplings Rocks. These waters have homely names, as you observe. The shoals, rocks, headlands, and estuaries are dowered with comfortable, nourishing names like Cuttyhunk and Vineyard, the Puppy Rocks and Pea Island. They are familiar facts to the men who go in and out of these New England harbors. They are, moreover, the salient and significant features of the shoals. Looking at the chart, while the commander taps out his daily report on his typewriter, one sees shoal upon shoal marked, each with its name and sounding in feet at mean low water. Some of them even out beyond Martha's Vineyard and Nantucket Island.

Already the lightship is visible ahead, on the northerly side of the channel. In a few minutes we come up on her quarter. An elderly wooden vessel with one mast for the light and a fine curve

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to her flanks, which curve we call "the tumble home." The words "Hen and Chickens" are painted man-high on her sides. We slow down, stop, go astern, and the mate on the forecastle head gets a rope to her to make us fast. Our crew of tall, muscular colored men have dropped a boat into the sea, and the stores follow. The boat hurries over to the "Hen and Chickens" while we, leaning out of the chart room windows, converse with the captain, who stands by a white deck house and talks back with downcast eyes. The boat returns at once and is hauled up. We move away, and with a farewell toot we start across the channel for the "Vineyard."

These two vessels, guarding the passage to New Bedford, are close inshore, and the lot of men on board them is not very lonely. Between the "Vineyard" and "Nantucket" are no lightships but many buoys. We are now bound, after the "Vineyard" gets her mail and stores, for the far outer edge of Nantucket Shoals, a dozen miles or more south of the island. The sun goes down behind us in a sea of glory as we skirt No Man's Land — a small island off Martha's Vineyard devoted to sheep farmers who lead lonely lives not far from the route of the great liners. The bell sounds again. Five o'clock supper. Fried fish, salad, and fried potatoes, and a derby hatful of ice cream if you are built that way. The first mate of the light vessel, going back to duty, says they live even better on the "Nantucket." He looks that way.

The sun is gone and the moon, nearly full, floods the heavens. It is cool at sea after dark. Mast-head lights are visible here and there away to starboard. In the chart room the commander shows what he has to do. There are ten light vessels, thirty-six

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gas buoys, four bell buoys, thirty-four spar buoys, and nineteen plain iron affairs without any signaling gear. All these in the "Anemone's" section of District Number Two, based on Chelsea, Massachusetts, and with a yard at Woods Hole. All of these aids to navigation are listed in due form and order in the books of the service, issued to all ships. Gas buoys — which are automatic light vessels — burn acetylene and last for a year. They get foul externally and are taken in for cleaning and painting and recharging. Bell buoys operate by the motion of the waves. So do the whistle buoys, which are ingenious. There is a large low-pressure whistle atop and a chest with ball valves. As the buoy rises in the ceaseless movement of the sea, a vacuum is formed and air rushes in by the ball valves. When the buoy falls, the air is trapped and must rush out by the whistle in a deep-toned warning, dreadful enough to a navigator in a fog who does not know where he is.

Soon after ten we go up to the top of the bridge and try to make out the light. It is an eleven-mile light, this of "Nantucket." We are fourteen miles off when the first faint flash down under the horizon is refracted against the atmosphere and into our eyes. The sea is now thick with ships out yonder. They all make the Nantucket light vessel, and if you take a map of the world, or better still, a globe, you will see why. It lies in the direct route from Northern Europe to New York. That makes it very nearly the most famous vessel of its kind in the world. Many people who have never seen Barnegat know Nantucket lightship. It is the last you see of America, and the fifteen-second flash with a five-second interval is the first welcome your navigating officer receives when he is west-bound. The moon rides high and the ships are like planets creeping along their orbits. As the light comes clearly into view, we send a searchlight beam toward her, moving it up and down to attract attention. It will be past midnight when we arrive, but one suspects they will be up and about. Those chaps due for relief will see the "Anemone" coming. They will have had their gear packed and their shore clothes on since supper.

Up we come. In the searchlight the red hull of the light vessel is now visible. Far away a great glare which is the "Berengaria" slides into view — a glare topped by high mast-head lights. Other glares, not so large, move eastward. They are like galaxies in the strong moon-blaze at midnight. They all report to the lightship. To-morrow they dock in New York or are a day's run to-

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ward Cherbourg and Southampton. Most of the folk aboard of them have forgotten, if they ever knew, what they owe to the wardens of the shoals.

As the searchlight settles on the "Nantucket's" quarters, men come out. The "Anemone" moves up slowly and hawsers are passed when she drops astern. There is a good deal of activity on her foredeck now. Men hitherto unseen emerge in overcoats and carrying suitcases, silent because they are going on duty for two months. They stand in a little group alongside the huge buoys, waiting for the boat to come alongside. As this is a good chance to see something, I join them. The commander says he will wait half an hour.

So, into the boat. The black crew, hastily tumbling boxes over the side, make one think of movies depicting rum-running exploits. The Lighthouse Service, however, sees nothing of such matters. Here, for once, no one speaks of liquor. They are, indeed, something of hermits — these men — when all is said. They have a certain fineness of feature, as though solitude had done them no harm at any rate. We haul on the line and come alongside the inner flank of the lightship where the big doors are open, and we scramble up into an iron alleyway and meet the wardens of the shoals.

While the stores come in, we climb a stairway and meet the commander. Like everyone else in the service, he is quiet, efficient, and extremely agreeable. The notion that his way of life might be interesting to shore people strikes him as mildly amusing; but he falls in with the idea. Just take a look around the ship while he distributes the mail.

Contrary to popular impression, the modern light vessel is a complete ship. She is a strong, bluff-bowed craft of steel, with a

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propeller driven by triple expansion engines. She uses oil fuel and carries a refrigerating plant for provisions. She has pumps for all possible emergencies and a duplicate set of turbine generators for electric current. When she needs overhauling, as ships do, she is relieved by another vessel, and goes in under her own steam to her base. The crew keeps shifts of six hours and on the "Nantucket" they number sixteen souls.

Down below she resembles precisely a small, high-class steamer on an anchor watch. That, in brief, is her destiny — a year-long anchor watch, while the great light on her mast head warns the crowding traffic of the sea lanes outside. And in the 'tween-deck, where the officers live forward and the men aft, the prevailing impression is one of abnormal cleanliness and fanatical neatness. One gets the notion that this life wouldn't suit everybody. There is about it the austerity of a battle fleet in wartime, and the loneliness of a penal settlement. And there is a disquieting lack of the personal idiosyncracies of the ship's company. One looks into an officer's room and it is a cross between a prison cell and a room in a monastery. The tungsten lamp in the ceiling illumines the place with a pitiless radiance. There is a white washstand, a narrow bed, a chair, and a small desk. The walls are the steel plates and frames of the ship, painted white. The floor is iron and cement painted a glossy scarlet. There are no pictures on the walls, no clues to the occupant's character. You would imagine that these men have taken a vow of poverty.

There is, however, an explanation. Spending two months on watch-and-watch followed by a month ashore, lightship men alternate too rapidly to give their habitations afloat any characteristic garnitures. They leave them impersonal and neat for the next man. Their hearts, as may be imagined, are ashore. The chief engineer, now due for relief, sits at his desk making up his final report. He seizes coat and suitcase and is ready. On the way back to Woods Hole he discloses a passion for gardening. His reading matter is largely confined to seedsmen's catalogues of hardy herbaceous and Alpine plants suitable for New England seaside gardens. He toiled last April and enjoyed the fruits of his labors in July. It is now October and the dahlias, zinnias, and marigolds will be in great shape. His soul must almost dry up in that brilliantly-lighted iron chamber.

The problem of such an existence, to the landsman and seaman alike, is how the leisure hours are disposed of. It may be stated

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here, and the statement is authoritative, that a six-hour shift involves six hours' sleep. What time remains may be passed in the lightest of reading. The lightship has a library — a cupboard containing the heaped fiction of the last thirty seasons. Long forgotten best sellers are here, keeping men from the madness of solitude and serving that end better, perhaps, than the sophisticated fiction of to-day. There is *The Helmet of Navarre*, for example, and *The Choir Invisible; The Wooing of Calvin Parks* and *The House of Whispers*. Good solid romances, lightships of the soul, warning it away from the dangerous currents and reefs of introspection. These books afford no index of their present readers' tastes, of course. They are, like all donated libraries, the discarded lumber of landsmen's houses.

Upstairs, with a few moments to go before we leave, the captain shows us how he is interested. There is a bird cage on his desk — an exact model of a New England house — white-painted and shingled and with green shutters to the windows. This he made. There are ship models in all stages of manufacture all over the ship. He fishes and knits sweaters. He unrolls on his bed place a superb hooked rug made of bunting — red, black, and blue. It is a present for his wife which he has just completed. He has been nineteen years in the service and looks none the worse for it. Another eleven years and he will retire. It is, one gathers, a tranquil life, partaking of land and sea, of earth and heaven. Perhaps it leans a shade too far toward the latter for mortal men. The general view in the service is, when the stranger congratulates them upon one month's vacation in every three, that when you have done two months *out here*, a month ashore is not too much. It is very likely true. The strain on the crew of an anchored vessel is somehow heavier than that when they are going somewhere with the chance of getting ashore, of seeing "strange lands from under the arched white sails of ships."

Word comes that the boat is ready. The captain, with a smile and a rather charming forgetfulness, begs his visitor to "come and see us again," as the abbot of some Thibetan monastery might extend an invitation to a passing foreigner. The invitation is accepted and we make our departure. The boat bobs alongside. The faces of the men going home on leave shine. The colored men's features have a superior effulgence. They seem to gleam in the darkness, as we pass to the "Anemone," as though they possessed a secret luminosity of their own. And no wonder —

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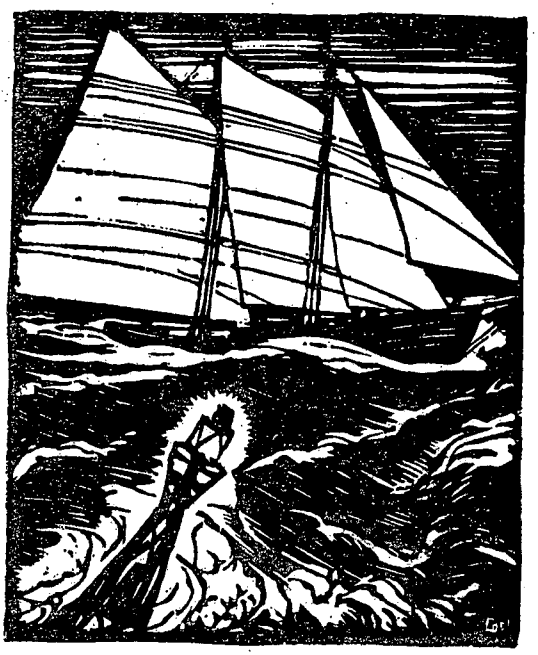
with a month on pay ahead of them. Their period of detention is done. They sit on their suitcases in silent ecstasy. Quiet, orderly, and efficient, they have found their places in the world. They are the wardens of the shoals. Because of their vigilance the great ships race safely back and forth. They keep the coastwise lights burning. Some men couldn't stand it. They would go crazy. They lack the ballast, the stamina, to keep watch day in, day out, and find their own amusement. Such men are happier in the cities and on the big liners. But if you have the temperament and a wife who doesn't mind being alone two months out of three, this is the life.



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NEW YORK, THE NATION'S PRODIGAL

I — *The City of Glorious Graft*

JOHN BAKELESS

IN America, waste is an old habit of long and not wholly dishonorable descent. It is a legacy of the pioneers, a part of the old American tradition; for with a wilderness to subdue and the wealth of a continent at their doorsteps, the first settlers troubled themselves little over what they wasted. There was plenty more; whereas speed in producing food or clothes or shelter was a matter of life and death. So the tradition became established; and the descendants of the earliest fathers have blithely agreed with the latest immigrants in at least this one American tradition: to get things quickly, to build hastily, to tear down when it is convenient, and to use up at break-neck speed the gifts that the generous gods have lavishly provided.

And as all things American are on their grandest scale in New York, it is there that we must look for an orgy of waste that would have appalled imperial Rome. If the Yankee metropolis is not the most American of cities, either in its culture or its population, it is at least the most observed, both by foreigners and by other cities of the land. It occupies more land, builds higher buildings, handles more business, receives more visitors and attention, lives at a quicker tempo than any other city in America — which means that it wastes on a more lavish and stupendous scale than any other city in the world.

New York brings its water a hundred miles overland through a marvelous system of aqueducts, carrying it beneath a mountain, over one river and under another, to protect the health of its millions — and then lets a third of it leak away in faulty plumbing and leaky faucets. New York brings fruits and vegetables three thousand miles across the continent and then lets half of them rot. Because of stupid jealousies, its business men waste $14,000,000 a year in and about its harbor, while in that same harbor some of the city's own piers, constructed at enormous expense, lie practically profitless.

As for the city's government, Alderman George U. Harvey estimates the annual loss at $100,000,000 — one fifth of its total budget. Alderman Ruth Pratt more conservatively suggests that $50,000,000 is a fair estimate for the annual waste which

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is not due to graft or peculation — though there is enough of that — but is simply the penalty of an antiquated municipal organization, of slipshod methods, carelessness, overlapping of departments, and the indifference of citizens — most of whom were born somewhere else and few of whom know or care anything about the city in which they live.

These figures become even more startling when compared with the estimated peculations of the Tweed Ring, which half a century ago was internationally notorious. Tweed and his associates, even during the three and a half years when they were at the height of their power, when their authority in New York City exceeded any despot's, took no more than $75,000,000, and may have contented themselves with as little as $45,000,000 — a small part of which was later paid back to the city. To-day such sums and greater ones are lost, not in three years, but every year.

SOME ITEMS IN NEW YORK'S ANNUAL WASTE BILL

Traffic wastes	$500,000,000
Smoke wastes	$96,000,000
Graft	$50,000,000
Municipal inefficiency	$50,000,000
Harbor and freight wastes	$14,000,000
Wasted water	$7,300,000
Wasted structural steel	$6,000,000
Lost milk bottles	$2,500,000

Why does New York waste? In the main, either because it does not know what it is doing or because it does not care. And the first, because the most notorious of its wastes, is graft. Graft, to be sure, is a municipal institution of respectable antiquity, which is by no means peculiar to New York. Chicago, Philadelphia, Boston, Pittsburgh all have their own tales of corruption. So had mediæval London; so had ancient Rome; and clay tablets, dug up in Mesopotamia and dating from before the time of Moses, offer mute evidence that the ways of officialdom change little with the centuries.

But there is this to be said for graft in New York: it is standardized and it is the last word in modern efficiency. In the onward march of American progress, about which Mr. Babbitt loves to boast, the municipal spoilsman has kept pace. His "deals" are no longer signed, sealed, and delivered as they were in the good old days; and they are in consequence far more diffi-

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cult to detect. But even discovery is not always fatal to the up-to-date practitioner. Sometimes it is a mere prelude to promotion.

Graft of the highly professionalized modern type falls into two classes. First, there is graft on the big scale — padded payrolls, dummy employees, cleverly manipulated contracts, fees for "protection," mysterious tips to buy real estate that the city will later take over at a ruinous advance, purchase of needless supplies followed by dubious but strictly legal auctions. And side by side with this profitable enterprise, there is graft on the small scale, the petty perquisite of petty office, which the grafter almost regards as his lawful due — a few dollars from a motorist for illegal parking privileges, a small gift from a business man for a convenient blindness with regard to fireplugs, a little cash from a harassed provision merchant who seeks to escape a needlessly minute enforcement of the sanitary code.

There is no hope of proving the existence of graft of the first type — it is all too cleverly managed for that — unless one of the parties to the deal feels himself aggrieved and "squeals." But as this very thing has happened twice within the last two years, each case revealing far-reaching and unsuspected scandals, it is reasonable to suppose that there are innumerable other cases which no one on the outside even dreams of. When one remembers that of all the graft that goes on, only a small fraction ever comes to light, it is easy to infer, from the huge sums of the public's money known to have been dishonestly spent, the staggering total that is, and probably always will be, unknown.

Milking the Milk Wagon

The first of the recent revelations of graft on an ambitious scale was the milk scandal of 1926. And scarcely had it been completely investigated, when thefts of thousands of dollars weekly were revealed in the street cleaning department — their total aggregating millions.

The milk revelations began in March, 1926, with the arrest of one Harry Danziger, the so-called "milk Czar," who fell into a trap laid by milk dealers unwilling to pay him for protection, and was arrested in the act of taking a bribe. The investigation which followed his confession revealed the existence of a grafting ring which for years had been literally "milking" the city by conniving at the adulteration of its milk supply and the sale of food products below the standard established by the Health Depart-

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ment. According to former Health Commissioner Harris, at one time 1,200,000 quarts of impure milk were being distributed daily, and "no man can say what tragedies lie in their wake." A single official with a small salary later testified that he had banked about $50,000 the first year of the ring's existence and from $70,000 to $80,000 the next. Another, fearing to deposit such a suspiciously large sum, hid $92,168 in an attic. The total profits were probably about $3,000,000; but it was money well spent, so far as the bribers were concerned, for the Health Commissioner, after investigation, estimated that the dishonest milk dealers were saving about $34,500,000 a year, and that the public was being swindled out of approximately $90,000 a day. The most amusing bit of impudence in the whole affair was the establishment by the ring of a private court of its own, which imposed fines on milk dealers who ventured to violate the law without asking permission!

Quite as startling is the gigantic graft in the street cleaning department, which is still under investigation. Here, again, no one suspected what was going on — except as all New Yorkers are perpetually suspicious of their own government — until one of the grafters, now in Sing Sing, burst onto the front page with a confession. The hero of the occasion — if one may call him so — was one William E. Lougheed, foreman of a street cleaning department garage in the Bronx. Suspended after charges of padding payrolls had been made, he indulged in prayer, and felt his "inner self" saying, "Tell all, tell all." (Unfortunately the inner selves of other city employees rarely urge their owners to be so communicative; and in consequence similar plots go undiscovered on every hand.)

Lougheed's revelations, even if one takes them with a grain of salt, are sufficiently startling. In his first statement he estimated the city's loss in this one department of a single borough as $10,000,000 in thirty years, and intimated that similar conditions existed in at least two other boroughs, as was presently found to be the case. Later he estimated his weekly takings from illicit sources as $2,500, but explained that he had to share so much of this with men higher up that his own share was only from $500 to $1,800 a week — a beggarly sum for an ambitious foreman. Altogether he had to hand over from $50,000 to $60,000 annually to superiors. Part of this was obtained by padding payrolls of emergency employees — men not under Civil Service but called

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in to help out; but other charges made by Lougheed included "graft in the removal of refuse by street cleaning department trucks — refuse which should be removed by private trucks; thefts of money from the city through fraud in the delivery of gasoline to the garages; shakedowns of persons who would save money by having their ashes and other waste removed by street cleaning employees." Significantly, the official engaged in the investigation felt it necessary to state that "there are no hobbles on me from the City Hall" — as if a city official, investigating fraud committed against the city, might in the normal course of things expect hobbles!

Theft on such a scale is, of course, possible only because of careless municipal bookkeeping — and worse than carelessness among high officials; but it implies also an extraordinary indifference among the victimized taxpayers. In this respect New York's third big municipal scandal of the last two years offers a refreshing contrast. For it was the taxpayers themselves who, last year, infuriated by an assessment of $16,000,000 for a forty-mile sewer system in the borough of Queens — from six to eight millions of which is said to have been graft — compelled a special investigation which exposed everything and drove the borough president from office. The apparent moral is that graft can be stopped if any one really wants to stop it.

Petty Graft — the Eternal

Graft on this heroic scale "makes" the first pages of the newspapers because it is so spectacular that it arrests attention. But it probably amounts to less in the long run than the petty graft practised, day in and day out, by hordes of underlings. The victims range from the great mercantile establishments, which in spite of their size and power are sometimes helpless, to the small store keeper on a by-street, who is always helpless. There was, for example, the department store which decided to put in new electric fixtures; and — quite forgetting that a local political power was also in the fixture business — gave its order to someone else. A day or two later it was miraculously discovered that the delivery wagons were interfering with standpipes and fire hydrants. The policeman on the beat became strangely meticulous, and inspectors descended like locusts. The puzzled owners investigated, discovered their error, found a way of awarding still another contract for yet more lighting fixtures — this time to the

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right man — put five thousand dollars where it would do the most good — and found themselves suddenly at peace.

Or there was the great corporation — one of the most powerful in the world — which discovered to its chagrin that its newest building would never go up in Manhattan unless the right man got the excavating contracts. Its word was law across half a continent — but not in "the district."

On "the little fellow," the small shopkeeper who cannot protect himself, descends a horde of harpies — though Providence has mercifully decreed that only the small fry among the harpies shall assail the small fry among the victims. It is always possible to trump up charges, to discover something wrong with a building here, an inadvertent violation of the sanitary code there, or some wholly unintentional offense against a quite forgotten law elsewhere. Because of this system, there are certain social levels in New York where fear is always dominant. Perhaps a laborer knows that unless an envelop with a few dollars inside is dropped each week into a certain locked box of unknown ownership, his work will suddenly vanish. Beset with the worker's perpetual anxiety for his job, he fears and pays. Or perhaps an applicant for employment by the city, having taken the requisite examinations, finds it inexplicably slow in materializing. Some one gives him a hint. Let him drop a hundred dollars — in bills, of course, since checks are getting dangerous — into the right slot, and see what happens. He does; it happens — for grafters must keep faith, at least to a certain extent, else trade would slacken.

So long as they do keep reasonable faith, "the little fellow," knowing he is helpless, pays graft willingly — provided it is not beyond his purse. And generation by generation, New York's minor grafters have pondered the fable of the goose and the golden eggs. Knowing what the traffic will bear, they charge just that — and no more. It is, as one victim explains with a sigh "a good deal more carefully calculated than the tax rate." As a demonstration in exact science, these niceties of modern graft have perhaps a social value. But, except for that, they represent a waste of countless millions — every cent of which, of course, comes directly or indirectly from the pocketbook of the ordinary citizen. As a consumer he pays increased prices to cover the cost of graft to the merchant, large or small. As a taxpayer he pays needless wages to the municipal employee, who, having given a price for his job, feels no necessity of being efficient to hold it.

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A fair share of the waste in New York, however, is not due to graft at all, but just to the general clumsiness of one of the world's largest business organizations — in which the fewest possible people take any interest. A former official tells how it once fell to his lot to direct some excavations in Central Park. He duly applied to the proper department for laborers, and the laborers duly appeared — all veterans of the Civil War, men of seventy and over, so old and frail that half of them were scarcely able to hold a shovel. The explanation was quite simple. Regulations required that preference be given to Civil War veterans — and preference *had* been given, without any trouble to inquire whether they could do the work they were sent to do. Fifty years from now will a grateful city be demonstrating its gratitude to the veterans of Château-Thierry and the Meuse-Argonne by passing over their sturdy sons and setting them to dig its ditches?

Municipal Clumsiness

What is optimistically described as "centralized purchasing" is a fair sample of waste which profits nobody — not even the grafters — but is purely a matter of bad organization. Big business long ago discovered that it takes an expert to purchase on the grand scale, and every corporation to-day has its purchasing agent. New York City, the biggest business of all, pretends to have one too. The city made a magnificent gesture in 1923, when it set up the Board of Purchase, which — so the beautiful theory ran — would do the city's buying. Unhappily, it was only a gesture. The Board does, indeed, buy for the city on an enormous scale. Casual items in its annual purchases include 3,000,000 pounds of meat, 704,000 dozen eggs, 672,000 pounds of butter, 295,000 tons of coal, and nearly 2,000,000 gallons of gasoline. But there has never been a genuine effort to adopt real centralized purchasing, in spite of the fact that two hundred cities in the United States and Canada have demonstrated that it means a reduction of from ten to fifteen per cent in the cost of their supplies. New York's Board of Purchase exercises authority only in those departments which the Mayor controls by his appointive power. Meantime, in each of the five boroughs, the borough presidents go blithely on their way, each with a separate purchasing department, some of them with several methods of buying. That means at least six distinct purchasing agencies to start with, but there are others. The Department of Education does its own

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buying, for example — spending a million and a half a year for fuel alone. The Board of City Record, again, spends independently nearly the same amount for "printing, stationery and blank books and publication of the *City Record*" — the municipal newspaper which not one citizen in a thousand ever sees. One need not be an expert accountant to see that most of these expenditures could be combined at a marked economy.

In New York, therefore, "centralized purchasing" turns out to mean independent buying by at least eight different agencies! To a business man the situation is unthinkable. But municipal business has little to do with business principles.

Another example: New York City runs not one set of hospitals but three — all under different departments. They ought all to be under the direction of a single Medical Board — a fact so obvious that there are now suggestions something may be done about it; and the administration ought to be rigidly scientific and non-political. Though there is no use pretending that this is now the case in many hospitals, it would be easy enough to make sure that the hospital administration *was* non-political by the simple expedient of eliminating the salaries of the men in control — as is done with the board which administers the Bellevue and Allied Hospitals, admittedly the equals of any in the world. Where there are no salaries, the motive for political control is lacking; and thanks to the honorable tradition of the medical profession, first class scientific brains are always to be had free. It is more than can be said of ward-political brains — for them, the poor public has to pay high prices whether it knows it or not and whether it wants them or not.

The municipal budget is another of New York's grand gestures toward business efficiency — a fine gesture, but somewhat deceptive.

Everybody lives on a budget these days, from the Federal Government to the poorest pair of newlyweds, just back from their honeymoon and playing at housekeeping in one room and a serving pantry. New York City has a budget too. It is the biggest budget in these United States, except Uncle Sam's own. The annual turnover of the city's treasury is two billion dollars, and in 1926, New York spent a hundred million dollars more than Chicago, Philadelphia, and Detroit together. Its budget must take care of a public debt almost equal to that of all the forty-eight states; and the employees whose salaries it provides

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are almost literally an army — for in numbers they equal the United States regulars. The annual payroll is $235,000,000.

Evidently the budget which outlines the expenditure of such huge sums ought to be prepared by methods which are the last word in the science of accounting. Is it? Not quite! As a matter of fact, until 1928, New York's fiscal system had never even been adequately described in print except once — and that by a Chinese student in quest of a degree!

The trouble begins with disorganization at the very top. For the Director of the Budget, who is responsible for drafting the document which roughly determines the city's half-billion-dollar annual expenditure, has no staff beyond a clerk or two and a stenographer. What the city spends is actually determined by a body which rejoices in a resounding title: The Board of Estimate and Apportionment — in other words, the mayor, the five borough presidents, the comptroller, and the president of the Board of Aldermen. The examiners who assist the director of the budget come from the office of the secretary of the Estimate Board — the very board that the unfortunate director is supposed to persuade to reduce expenditure! It is too bad Gilbert and Sullivan never heard of the arrangement.

But there remains a reviewing authority in the aldermen. Ah, the aldermen! In their hands lies the power to protect the grateful taxpayers who elect them. To them the budget must be annually submitted. They may reduce but not increase it.

Now the budget of the city of New York is a bulky document of 367 pages, consisting exclusively of figures. It is as big as a popular novel, and to the instructed eye more interesting than most of them — it contains so many more plots, you see. But it does not appeal to the literary tastes of the five-and-sixty aldermen.

Do they spend hours in careful analysis of each of the budget's 3,732 separate "codes"? Do they debate anxiously and long whether, after all, their president might not struggle on with his official cares assisted by one or two automobile enginemen, instead of the three assigned him? Do they go in a body to the Board of Education to ask about that mysterious official who has no title and no discoverable functions but who has the pleasing sum of $7,500 as salary? Do they investigate the rumor that the city's taxicabs cost fifty cents a mile to operate, whereas you can take an ordinary taxicab for thirty cents? Do they inquire into the ancient mystery why the city needs taxicabs at all? Or do

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they raise the question why municipal executives must be provided with cars and chauffeurs, while executives in private employ provide their own?

No, no. Such sordid thoughts are far from the minds of these worthy men. In the year of grace 1927, they did not reduce a single item of the budget that the august powers above laid before them. As one alderman explained to a neophyte: "They had a lot of experts go over this budget. We needn't bother with it. Why worry?" To do them justice, New York's aldermen worry very little. Although the law allows twenty days, they pass a half-billion-dollar budget in as many minutes — they have been known to do it in twelve — and stride forth from the aldermanic chamber with a sense of high resolve and duty done, back to their daily toil as undertakers, real estate men, lawyers, and — and workers for "the organization."

Where the Money Goes

They meet once a week. Their handling of the budget is a fair sample of their efficiency. For this tremendous service their grateful fellow-citizens come softly to each of them and deposit five thousand dollars every year, a total, when secretaries, automobiles, and incidentals are included, of half a million dollars. To paraphrase a once popular song — "that's where the money goes!" Sad to say, that is not the only place where it goes. The list of all the other places could be stretched out to the crack of doom. But a few more specimens will suffice.

The city maintains needless officials — some of them at high salaries. There is, for example, the city chamberlain, who once performed the ordinary functions of the treasurer of a great corporation. But since then the office of comptroller has been established, and the chamberlain's duties have fallen from him, one by one. To-day he earns his salary by deciding in which banks the city's cash shall be deposited, and countersigning checks. For this the city pays him $12,000 a year. Is it any wonder that Mr. Henry Bruère, the chamberlain of the Mitchell administration, proposed that his own office should be abolished? But New York still keeps the good old office going — to the average municipal politician the proposal to abolish an office is as near blasphemy as mortal lips can come.

Again, in Queens, which is a county as well as a borough, the county clerk not long ago received $8,000 a year. For this, with

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the aid of two deputies, he recorded deeds and mortgages, issued licenses, recorded judgments, and kept court records. In 1927, however, he was relieved of half his duties. A new official, the Register, receiving $10,000 and aided by two deputies, took charge of half his duties — the recording of legal papers. The County Clerk, however, still goes on, doing half his former work, but now at a salary $2,000 larger than before, and with the aid of one more deputy. The total increase in cost to the taxpayer is more than a hundred thousand dollars a year. Three other counties have the same wasteful duplication, whereas in Richmond the County Clerk still finds it possible to perform the duties of both officials — at only $7,000.

Another example of a somewhat similar waste is New York's expert in the drafting of bills. For his ability to write the curious jargon in which legislators conceal what thoughts they have, this functionary receives $10,000 annually. Yet the officials who do the same work, and more of it, for the state receive but $6,500.

Municipal Joy Rides?

During the course of this investigation the writer of these lines has amused himself from time to time by counting the municipal automobiles parked in shoals outside the Municipal Building — both those which were and those which were not labeled as the law requires. From these he constructed for his private delectation a neat table of statistics. He has no intention of inflicting it upon his readers here — but it was illuminating. For its average shows that an almost invisible per cent of the city's automobiles are properly marked.

Now this is, no doubt, a trifling matter. It is conceivable that every drop of the city's gasoline and all the city's automobiles are used on strictly municipal business. Quite probably, when the weary head clerk of somebody's office staggers home from work, he meets his wife's suggestion that they take the municipality's automobile and motor out to Aunt Matilda's with a frowning, "No!" Doubtless he reminds her of the provisions of section 33 in chapter 24 of the Code of Ordinances. No doubt he alludes frigidly to the duty that he owes the city. Doubtless he bids her read the Budget instead of the *Graphic* and consider.

But in the minds of unregenerate persons the lingering doubt will not down. May there not be just a few black sheep among the glistening white ones who man the city's office desks? And may

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they not reply: "Why sure, Jane. The old car ain't marked. Let's run down to Aunt Matilda's. The city buys the gas."

I do not know. I make no charges. I only know what *l'homme moyen sensuel* is likely to do in cases like that. And the city employee, as a type, is very *moyen*. The point is that the city pays about four millions a year for automobiles and their operation. Perhaps it really does need them all. And doubtless they are never employed except upon official business. So far as I know, the city's employees are all, all honorable men. Anyhow, I hope so. But wouldn't it be a good thing to mark all city automobiles as the law requires, and see whether costs do not decrease?

More serious than all this, however, is the hit-or-miss financial policy with which New York looks to its future. Since 1919 the budget has doubled; since 1910 it has tripled; and yet the city famous for its wealth and business shrewdness plunges blindly ahead. At present there is no programme for its future capital outlay even a single year ahead—still less a comprehensive plan looking several years into the future. Yet if past experience is worth anything at all, New York will probably have to reckon with an average *annual* increase in expenditure of some thirty millions. It is building subways. It plans to build schools, docks, hospitals, bridges. It has elaborate proposals for future water supply. It must do something about its sewage; for it cannot remain indefinitely the "island in an ocean of filth" that it is at present. All this to be done from hand to mouth, year by year, planlessly, clumsily, wastefully — in other words, in the New York manner. Is it any wonder millions are squandered — sometimes honestly, sometimes dishonestly, but always stupidly? Yet the remedy is obvious enough — the working out of definite policies for the financial future such as exist in every ordinary business.

Both the losses due to downright dishonesty and those due to inefficiency could be reduced by systematic and aggressive watching of officials and their work. What such methods can accomplish was shown in Baltimore, where they brought the tax rate down forty-nine points. But in New York this voluntary labor is divided among various groups, not always on harmonious terms.

It is in the nature of things impossible to make definite and reliable estimates of the amounts the city loses through graft and other forms of waste. Downright fraud is too carefully covered up for much of it to be proved, unless thieves fall out; while "honest graft" and sheer waste are so interlaced with legitimate expendi-

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ture that they cannot always be separated. Alderman Harvey's estimate that the city loses twenty per cent of its budget yearly through waste plus graft is not unreasonable. After all, that leaves the taxpayer roughly eighty cents of value on every dollar he pays, which — as municipal government goes in this land of the free and home of the brave — is really not bad. Dr. Joseph McGoldrick of Columbia, though admitting frankly that no estimates of total waste and graft are reliable, suggests that "it can scarcely be less than ten per cent and, if any means could be found to measure it, it would not be surprising to find it as much as thirty per cent." Twenty per cent, then, seems to be a fair if not a conservative estimate; and if the example of the Tweed Ring is worth anything, it is safe to say that the percentage was at least no smaller in the past. Take twenty per cent of New York's total expenditure since the chartering of the greater city in 1898, then, and you have a figure roughly representing thirty years of peculation and extravagance. The sum thus arrived at is $1,355,501,632. It is, to be sure, no more than a guess that tries to be scientific; but it is not unreasonable, and probably errs, if anything, on the side of conservatism.

What, then, of the years to come? Will waste continue to grow as the city grows? Here we are on even more dubious ground. It is true that the politicians have been able to double New York's budget in the last ten years — thus doubling their own opportunities — without any real protest from the taxpayers; but that was possible only because property values were also rushing upward. The tax *rate* did not change, and the taxpayer scarcely noticed the huge amounts of which he was being mulcted.

That beatific state of affairs cannot, however, continue forever. Some day property values will cease to sky-rocket — and the politicians will either have to stop boosting the budget or raise the tax rate. If they take the first course they will curtail their opportunities. If they take the latter, they will provoke a roar of protest. The chances are they will prefer to keep the public quiet by holding down the budget, and make up the difference by still further refining their methods, thus continuing that laudable progress in the technique of graft that has marked the years since Tweed and his friends erred through excess of greed and ended in discovery.

Next month, Part II of this FORUM *survey,*
"The City of Dreadful Waste"

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FOOTPATH AND HIGHWAY

By the Pedestrian

WEEDS

Woodcuts by H. Glintenkamp

"OH, that's just a weed." For a long time this was my thoughtless reply to trusting friends who sought my advice about interlopers in their gardens. All weeds looked alike to me. I recognized that they had differences and that they required different methods of extermination; but since extermination was my main thought, I damned them all as "just weeds." Then one day a wistful novice asked me to come and identify a flower in his garden — "a beautiful yellow flower." It was only common oxalis, but, well nourished and tenderly cultivated, it made a brave show, far braver than the sickly roses in the next bed. Suddenly there welled up the memory of an Adirondack mountainside carpeted with oxalis in bloom. There it was no weed at all, but a delicate, exquisite wild flower. True, it was not the ordinary *Corniculata*, but the lovely *Acetosella;* still, even *Corniculata* in my friend's garden looked beautiful to me. I could no longer dub it "just a weed."

Most weeds, in other words, if they can be thought of as wild flowers, take on individuality and beauty. The glories of our roadsides and meadows — buttercups, daisies, goldenrod, thistles — are among our most pestiferous weeds, seen from the narrow view of the gardener. Even the dandelion, curse of lawn-makers, is magnificent by the roadside. Or, to turn the picture about, the delicate violet, fallen from heaven, can be almost as tenacious as witch grass, risen from hell. For years I looked on violets with the adoration I still bestow on daffodils and anemones, but once I had a garden on the edge of a little wood in which violets were luxuriant and from which they advanced, *as weeds*, upon my asparagus bed. I almost gave up the unequal battle; those innocent little violets, far more than the great oaks towering above them, positively gave me a shuddering sense of the advancing jungle.

Yet the violet, of course, can make a good case for itself when

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it stays in the woods, and even most of the common weeds, such as my friend's oxalis, take on a glory if we call them wild flowers. *Most*, I say; for when most have been accounted for, abideth pusley, pig weed, and witch grass, these three; but the greatest of these is witch grass. Still, we must not be hasty, even with these. Italians are said to eat pusley; and pig weed and witch grass have their humble use as unsurpassed material for the compost heap. "Oh, just a weed" is a careless speech, unworthy of a pedestrian.

The suspicious reader may scent a sermon in this gesture toward weeds. The humble weed has long served better preachers than I — and one or two worse, if I do say it as shouldn't. It is pretty obvious, I suppose, that a good many people are like weeds — cast aside by the unthinking world when in reality they are precious human souls, each beautiful in its own way, misfits in a patterned, standardized, institutionalized world, criminals and bums not by any eternal measure, but by an artificial code which the cultivated flowers of society have set up.

The trouble with this sermon, though, is that it points both ways. A pedestrian, as he walks by in one direction, may see the beauty of the despised weeds; he may dally for a moment with sweet sentiments in their favor; but as he strolls back again, he may see them in another light. A garden, after all, like many other things in life, sets out to be an orderly entity. It may simulate a pleasing disorder; like Byron, it may "dress with studied negligence"; but, frankly, it is no place for weeds. Some people, that is, belong in the bush and ought to be restrained when they try to convert a salon into a jungle. Again, some people have no discrimination; they don't care whom they associate with; others, like that vulgarian, Mr. Plantain, and that tactless, middle-class bounder, Mr. Pusley, insist on butting in where they do not belong. If a sentimentalist preaches nature rampant to us one Sunday, the great lexicographer may occupy the pulpit the next. "A cow," he says, "is a very good animal in a field, but we turn her out of a garden."

No, a pedestrian thinks of these weed-people with no particular moral in view. He is interested, rather, now that they are no longer "just weeds," in trying to fit them into the panorama of life. Some shy wild flowers, of course, never venture into gardens, and so are never stigmatized as weeds — such recluse New England spinsters as Miss Hepatica and Miss Gentian, the Emily

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Dickinson of flowers. Many others have a reputation far beyond their beauty and are objects of veneration only to botanists.

Names, moreover, are often misleading; they don't always give you a clue either to the personality or to the sex of a flower. You can't trust the poets, who will tell you that "a Light Breeze is Love" (when they ought to know that anything worthy of the name is a four-reef gale). They have a way of making most of the flowers feminine. We may as well concede Violet, Daisy, Lily, Emerson's Rhodora, Gilbert's Buttercup — "dear little Buttercup" — and Bouncing Bet. Also, False Jessamine *must* be a woman. But we can't grant the claim for Myrtle. It is in reality a young male sap, Perry Winkle, whom his friends have nicknamed Myrtle, I suspect, on account of his over-gentle nature. Brother Juniper is unquestionably a male; Mr. Thornton Wilder says so, and Bayard Taylor implies as much when he refers to him as "the sphery mansion of the future gin." Jack-in-the-Pulpit is another male, though he sounds more like Billy Sunday than he looks.

But, misleading as the poets are, the greatest poet of them all was right, as usual, when, speaking of flowers, he cried, "What's in a name?" Chick Weed sounds like a famous golfer or a gentleman of the race track, but as a matter of fact it is an insinuating, temperamental girl. She's a bit of a nuisance at garden parties (she's so irrepressible and yet so pathetic). She's no relation at all to that roadside vagabond, Joe Pye Weed, nor yet to Smart Weed — not a dandy, as his name implies, but a peppery old gentleman of a green and choleric visage. The sex, as well as the personality, of Miss Nightshade, so bitter and yet so seeming sweet, is unmistakable; she speaks with a distinctly European accent. Frankly, I don't trust her. But she's not so bad as her American cousin, Black Nightshade — not a negro, as you might suppose, but a dreadful, poisonous person, with a sinister character. You'd never think that she and he were related to that jolly Christmas guest, Jerry Cherry. *He* doesn't like to be thought a weed at all, nor even a wild flower; and he ought not to be, for his bright face is always welcome at Yuletide festivities, and he is quite content to sit in the window all winter — a cheery, domestic presence.

Of fat old Pusley I have already spoken. I find I have taken a particular dislike to him; perhaps it is because he is forever advertising his close relationship to the cultivated Portulacas. It's true, their grandmother was a Purslane, and even the more

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aristocratic branch keeps up the old Purslane tradition of large families, but many of the Portulaca girls develop into "young plants of grace," whereas those Pusley brats! Still, the Pusleys aren't afraid of the light of day — I will say that for them, the brazen hussies. But Plantain and his large family are forever haunting shady places, which soon become disreputable-looking. The Indian calls them "White Man's footprints," and I must confess that they are a sorry if conclusive witness to the virility of the Anglo-Saxon invader. English Sparrows and English Plantain should be mercilessly attacked by all red-blooded hundred-percenters.

"But the greatest of these is Witch Grass." Charles Dudley Warner discovered that it was Original Sin and offered the idea free to any clergyman who would do a day's hoeing in his potato field. I am not a clergyman, but I feel under such obligation to him for the idea that I will do a day's hoeing in the potato field of any of his heirs and assigns forever.

But, barring witch grass, there's no sermon in weeds for a pedestrian, unless it is this — that it takes all kinds of people to make a world.

— *Walter S. Hinchman*

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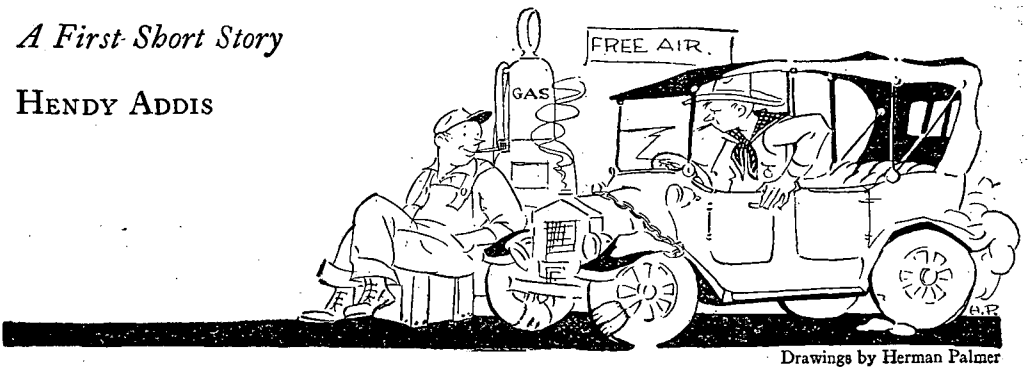
THE CHEERFUL LIAR

A First Short Story

HENDY ADDIS



Drawings by Herman Palmer

ONE windy mornin' last May I was settin' inside my garage here kinda hopin' some business 'ud come along, an' also kinda fearful some might come, when I hears a infernal clatter-pattin' which seems to keep comin' closter right along. After while I gits curious an' goes to the door there an' I sees a dum-busted Lizzie come crawlin' along sorta sidewise towards the shop here. The top is flappin' in the wind worser'n a revival tent on a stormy night, one of its hind doors is saggin' open, an' the front fenders flops around loose on one bolt, lookin' like elephant's ears. I sees too that one back fender is gone. One light is danglin' dejected-like an' half the windshield is broke. The engine sputters along, hittin' on one weak cylinder. But her wheels keeps turnin' an' finally she rolls into my shop.

The redhead who's drivin' the wreck shouts out at me, "Say partner, won't you jiggle Tilly's engine so's she'll quit missin'? She ain't hardly hittin' at all this mornin'." Then he gits confidential-like, in that way so many of us Westerners has, an' says, "I kinda think somethin's wrong with her gas digestion."

All us garage men works on cars as if we knowed all about 'em, even when we ain't sure what'll happen when we take off the next nut. So I goes to work after the fashion of my profession, cautious but knowin'-like. I always looks fer the worst when workin' over a car. This time my hopes was plum realized. I never before seen as much trouble in such a small space, an' I been through a lot. I growed young turkeys onct. I've had chills an' ague. I milks four wild range cows all one winter — had to. But this car'd been through more'n I'd ever seen.

After a bit I straightens up an' says emphatic-like, "Since there ain't nothin' but magic'd make this car run, an' more'n that, since the way you runs it shows you knows magic, I accordin' advises you to magic yourself a bran' new car an' then hide this wreck somewheres."

But he shakes his head an' answers, "Nope, jest tinker away. She's jest like a woman, requirin' a little attention, then she'll be all right."

So I settles down fer a real day's work. But I ain't been workin' no time before I spots this red-headed rooster fer what us Westerners calls "a cheerful liar." Cheerful liars out here uses the sky fer a limit, throws in a lot of deetails an' mixes in a lot of crazy stuff when tellin' stories. The idea is tryin' to keep whoever's listenin' frum bein' sure whether to believe it or not. But all the time the stories sounds reasonable-like. Some people calls cheerful liars "story tellers" an' some calls 'em "plain damn fools." But a good story teller who keeps you guessin' over what's true that he's tellin' an' what ain't is a cheerful liar, pervided he never at no time talks like his gall bladder has busted or he has the belly ache against anybody anywhere an' he never says nothin' mean about no one. If he qualifies on them points, then he belongs to our lodge an' has his dues paid up fer life. Red hadn't talked more'n five minutes till I had him spotted fer one.

"What's eatin' at you now?" he asts

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me when I stops work to try an' rub the frowns off my forehead. "Don't you think you can tease her into goin'?"

"Naw," I tells him, "it ain't that. I'm jist tryin' to figger out why you won't buy yourself a new car."

"Mebbe you're right," he says, "but before I can git it I'll have to spot 'nother bank I can rob. What say if we hold up one of your banks here? You give me the lay of the land and I'll do the dirty work, such as goin' inside and doin' the real hold-up stuff. Course I ain't Jesse James, but I helps him rob a bank onct. . . . Aw, not the real Jesse a' course," he interjects hasty when I raise my eyebrows with as much as to say, "Now stick somewheres near to the truth, kid, if you 'spect me to lissen, for I ain't so dumb I don't know the real Jesse James gits himself shot years and years ago."

But I don't have to say nothin', 'cause he realized his slip and goes right on to add, "That was the name I calls him and that's what I always thinks of him by, for he sure was a first-rate artist when he was workin'. He was my partner that time an' I was sure proud of him. D'ye ever see a Texas Ranger pull his gun in a fight? Works faster'n greased lightnin'. Well my Jesse James, he worked that way too. This partner of mine ain't got nuthin' but one gear, and that's high. He was always ready to act, and when he acts he was sudden poison and sure destruction. I sees him functionin' around some the first day I meets up with him, an' from then on I takes him at his word an' never argies with him. The funny thing is that I never seen him but fer about two weeks, but durin' that stretch I comes to know him right well, fer you see it was our robbin' a bank together that give me my start in life."

"Partner, I'm a bank robber."

He was well started, I could see, so I says, "Yes?" kinda questionin'-like, which means, "Go as far as you like and see if I'll believe you." And then I adds, "That's kinda dangerous business, seems to me like."

"Naw, it wasn't a bit dangerous, jest as easy as pie," Red tells me. "You know," he comments ruminatin'ly, "that was jest about the luckiest break I ever did have. An' it was so simple, too. Up to that minute it had always seemed to me that bank robbin' was awful complicated an' that a robber'd have to plan lots an' be careful of leavin' finger prints an' things they git clues from. But we didn't do no plannin' to speak about an' it didn't seem to me like as though we was any too careful. Then was when I was livin' out in New Mex, not very fur frum 'Dobe Walls. One day when I was ridin' to town I met a stranger who was ridin' in that direction and we got to talkin' 'bout this an' that. You know how fellers git to talkin', jest the same as you an' me now f'r instance," he adds.

I nods understandin'-like an' keeps workin' away at this job he went and brought me, so he keeps on talkin' now that he's got someone who cain't git away.

"Well," he says, "we gasses along 'bout this and that, as I says, then he kinda touches inquirin'-like on cattle rustlin'. An' after we talks around that careful-like for awhiles, he comes back at me with what does I think about robbin' in general and bank robbin' in particular. I answers him right off that I guess I can qualify fer bein' about as good a thief as him or anybody else. He laughs right out loud at that an' says, 'Well, what th' hell'd you know about that?'

"I asts him what's eatin' him, so he comes back, 'Partner, I'm a bank robber. Leastways, up to now that's been my main business fer a long time, but it has tough breaks at times an' I've had some of them lately. I'm lookin' fer a easy job

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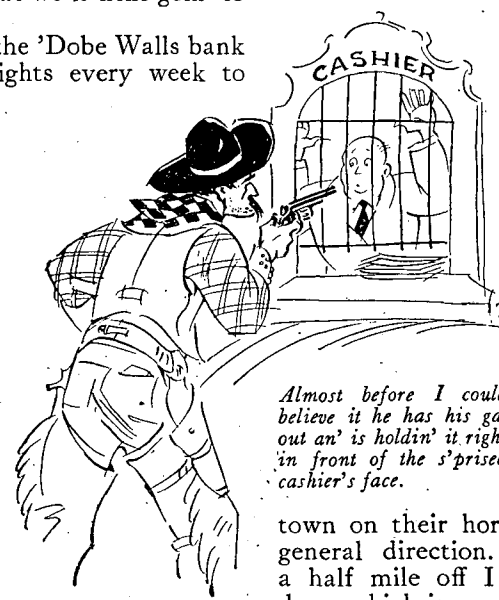
right now, an' when I pull that I'm retirin' because my woman says she won't marry me until I does.' He don't say nothin' more — jest sets there on his joggin' horse and looks at me."

Red stops there fer a impressive silence an' I gits proper impressed, an' when he don't fin'ly go on I asts him, "Well, what did you tell him?"

"Who, me?" asts Red back. "Why I jest says to him, 'Mit me, Mr. Jesse James. Frum now on I'm your partner — pervided you works on a fifty-fifty basis.' He says he does, so we shakes hands and then palavers on what we is next goin' to do.

"I tells him that the 'Dobe Walls bank stays open three nights every week to 'commodate us ranchers an' that I think this is one of them nights. We takes things slow an' easy after decidin' to go on to town an' mebbe pull the job that very evenin'. I gits all excited thinkin' about what we're goin' to do as Jesse asts me all about the lay of the town. As I thinks it over, seems like it ain't real to me — jest like I was playin' a joke. Then it kinda reminds me the way we used to plan when we went hookin' watermelons frum neighbors' patches when I was a kid. It don't seem like sure 'nuff bandit bank robbin', and mebbe havin' shootin' an' killin' in it. But it was sure 'nuff.

"We gits into 'Dobe Walls long about sundown, jest about when 'most everybody was home eatin' supper. Y'see, the place ain't a big one. It ain't got over fifteen or twenty stores an' a few saloons in the whole place. We rides right up to the back end of the bank an' ties our horses, when we finds that this is one of the evenin's when it's open. I soon sees that my partner knows his business. He sure functions fast. He ties a hankercheef over his face quicker'n anything an' then steps fast in through the side door, glidin' quiet-like. Almost before I could believe it he has his gat out an' is holdin' it right in front of the s'prised cashier's face."



Almost before I could believe it he has his gat out an' is holdin' it right in front of the s'prised cashier's face.

Red stops talkin' agin an' this time he giggles fit to kill. I keeps quiet long's I could stand it, then I urges him on an' he explains. Y' know that cashier's eyes bulged out so fur that he coulda seen in back of him if he'd thought to try to turn 'em. He was alone in the bank as I had figgered out, knowin' as I did the habits of him an' the others that run this bank. My partner gets him around back of a partition so's he can't be seen frum the street an' has him gagged an' tied an' lyin' helpless on the floor in less than no time at all. Since my job was to stay outside an' saunter around natural-like to see that nobody gits in the bank an' bothers, why I jest keeps saunterin' an' at the same time is interested lookin' in frum time to time.

"Well, as I walks around the corner of the bank I sees two, three fellers headin' in towards town on their horses and comin' in our general direction. Since they is about a half mile off I walks past the front door, which is open, and calls in to Jesse, tellin' him to step on the gas. Right off he comes poppin' out of the side door an' is on his horse with a big sack of cash money before I realizes he is ready to mosey. So we moseys.

"I mighta been scared if I hadn't been so busy laffin' over the way that cashier's eyes bulged out. But fin'ly my partner calls out gruff-like an' cuttin' sharp to stop bein' a damn fool an' hurry an' come along quick an' quiet. We slips acrost a arroyo jest back of the bank, rides through some tall mesquite, hustles over a ridge, then breaks fer the open country an' rides hell-bent-fer-election.

"When we come clost to a place where I usually turns off acrost the range to my ranch, we hides our horses in some brush and snuck back to the road to see if any-

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body was after us. We hides in some bushes clost to the road and hadn't been there no time till here comes about ten or a dozen men hot on our trail.

"We jest laid low there until we figgered they had got well on the road towards where they was goin', an' then we took a short cut acrost the range to my shack. When we got there, Jesse James he picketed his horse out in a thick brush field an' hid his saddle somewheres else, then he fixed himself a place to sleep near to his horse an' then he jest bums aroun' my house fer about two weeks, eatin' with me and hangin' around in the daytime, but sleepin' out at night so's nobody could slip up unexpected on him as they mighta done if he slept in my shack."

Red slows up his story tellin' here an' grins and grins as he sets there thinkin', until finally he busts right out laughin' and asts me after he slows up, "What do you s'pose I done durin' them two weeks?"

Jedgin' the kind of feller he was, I figgered he mighta done anything, but since he was bustin' to tell me, why should I guess? So I give him his cue an' asts, "Well, what was it you done?"

He raises his voice to a high C an' answers squeaky-like, "Why me, I joins up with the sheriff's posse an' helps try and find them robbers. An' do you know," he adds, "we jest didn't have a particle of luck — couldn't find trace, ner clue, ner hide, ner hair of 'em anywheres. I gits discouraged after a coupla days an' quits the posse. But before I leaves them I tells the sheriff to let me know if they needs me more, because I'd always wanted to ketch me a live bank robber.

"An'," he went on, "in a coupla weeks, after things had sorta quieted down, old Jesse James stuck his seven-thousand-dollar share of the loot in his saddle bags an' hikes out fer home an' his woman. The last time I hears from him he claims to be doin' right well with his chicken ranch somewheres up in Oklahomy.

"I had to stick aroun' there two, three years before anybody come along that'ud buy my ranch. I fin'ly gits rid of it, then I digs my cash money out of the hole where it had been hid, folds it up with some old clothes in my saddle bags, an' rides into town on the Fourth of July. I wants one good day of celebratin', so I leaves my saddle bags an' what's in 'em with Jake Slaughter at his saloon. I says to Jake as I slung 'em over the bar, 'Wish you'd kinda look after this fer me, Jake, 'cause I got 'bout seven thousand dollars in that junk.' This made everybody laugh an' I had to set 'em up before Jake 'ud say he'd guard it careful. An' follerin' that, boy, I had me one celebration."

Red, he shakes his head when he thinks about that night, but I keeps workin' away on his repair job an' before long he takes up his story by sayin', "But I don't git so drunk but what I goes back to Jake's the next mornin' an' gits my seven thousand dollars an' rides off to the northeast to my old home up in Canyon County, Texas, U. S. A."

Then I asts sarcastic-like, "I s'pose that's how come you to be able to buy this here car?"

Red he fires right back at me, "Sure it is, but it ain't the half of what I buys — no, ner nothin' like even a starter. I puts all that jack in a bank, first off. Then I commences to look for bargains. That was my stake, savvy? So I plays my cards clost to my belly. I ketches one man jest between rough feed an' grass, an' figgered in cash money I gits his ranch fer jest a little more'n nuthin'. Next I picks up some cattle frum another feller fer about the same amount. So there I was with a ranch fer a home an' three, four hundred heada cattle an' still some cash on hand; an' then I looks fer somethin' that'll bring me in cash money regular, so's I'll be fixed right.

"Well sir! That's what I concentrates on. Right off, almost, I finds a good barber shop fer sale. I buys it an' then hunts up some feller to run it fifty-fifty fer me. I finds him. Then with what's left of my bank money an' my profits frum my New Mex ranch sale I buys me a rent store buildin', somethin' that 'ud pay me twenty-four dollars every month, rain or shine. There I was settin' jake, fixed fer life one might say, an' all of it practical resultin' frum my chanst meetin' with old Jesse James an' helpin' him rob that bank."

I looks up here to see who's makin' the shadder which falls acrost the doorway an' finds it comes frum my frien' Sheriff Ryan, who's standin' there with his big six gun strapped to his side an' his badge shinin' fit to put your eye out, brighter'n a

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"What's this bank robbin' talk I been listenin' to?"

Southern Pacific headlight. Red he looks up too an' seems kinda startled when he realizes it's a sheriff. Right off he jumps up to his feet and commences lookin' over what I'm doin' with his car.

The sheriff he asts gruff-like, which is his natural way of talkin', "What's this bank robbin' talk I been listenin' to?" an' Red answers hasty, "Oh we was jest gassin' back an' forth like, seein' who could tell the biggest, an' so far I'm the winner." Then turnin' to me he says, "How about it partner?"

I answers, "Sure you are."

But I turns over in my mind the way Red looks when he sees the sheriff, so I says to myself, "Mebbee here's where you can git your start in life out of a bank robbery jest the same as Red claims he done."

I ruminates over this while sassin' the sheriff an' Red back an' forth as they joshes one another an' me, an' fin'ly the Sheriff moseys on up the street towards his home, where he's on his way to dinner when he stops.

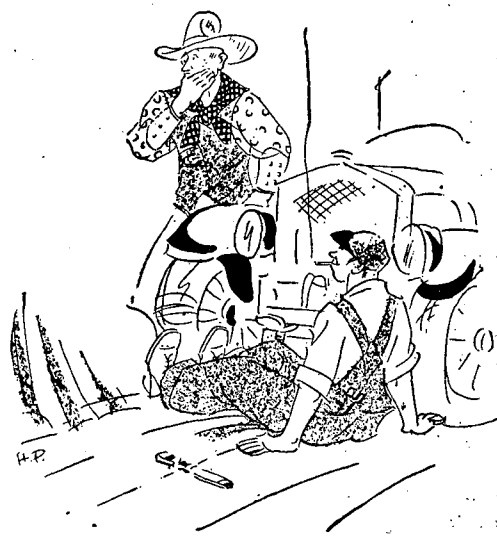
After a bit I knocks off fer dinner, tellin' Red to come back 'long about two o'clock an' mebbe I'll have his car all jake by then. I traipses off towards my home casual-like, but jest as soon as I gits in the house I calls the railroad station agent an' asts him to hotfoot a telegram off to 'Dobe Walls, New Mex. It went like this:

WAS BANK YOUR TOWN ROBBED FOUR YEARS AGO AND IF SO WAS ROBBERS EVER CAUGHT AND IF THEY AIN'T CAUGHT DO YOU OFFER REWARD IF I KETCH THEM HURRY ANSWER QUICK FOR I GOT ONE OF THEM ROBBERS HERE.

Then I sets down to eat my dinner, but I don't seem to have no appetite. An' my wife, tryin' to git me to eat, irritates me by astin' first about this an' about that, an' how bad a man is this robber, an' for me to be careful, an' I don't know what all. She tries to make me promise I won't git shot or killed or somethin' an' I'm about to the end of my holdin' in frum all this excitement when the telephone rings an' I jump clear outa my chair an' hotfoots it to that machine. Sure enough, it's a telegram frum that sheriff, which he'd fired back in less'n two hours after I wires him. He says:

BANK HERE ROBBED FOUR YEARS AGO FOURTEEN THOUSAND DOLLARS ROBBERS NEVER CAUGHT REWARD FOUR THOUSAND THEIR CAPTURE STILL GOOD HAVE YOUR SHERIFF WIRE ME YOU AIN'T DREAMING AND I'LL COME ON FIRST TRAIN.

I telephones Sheriff Ryan an' tells him the whole shebang, an' he meets me after awhiles at my garage an' tells Red to come along with him. When Red asts what fer, the Sheriff tells him, "Fer observation, of course."



"Oh we was jest gassin' back and forth like, seein' who could tell the biggest."

Well, when they goes off to the jail house so's they can observe Red, I gits so excited I can't hardly work. I can't git my mind off that four thousand dollars.

But I worries through the rest of the day, what with findin' out if Sheriff Ryan had sent the telegram to the other Sheriff sayin' that I was all right and wide awake, an' had he got any answer back, an' then in goin' to the station an' figgerin' out jest what train the New Mex sheriff could git in on the next day.

When the 8:47 gits in the next mornin', I was at the station as a anxious reception committee an' greets this sheriff. We

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walks over to the jail, 'bout two blocks north, an' takes a squint at the prisoner an' the sheriff jest says, "Well I'm damned, Red, so you done it?"

Red he looks me over mean-like an' says to the sheriff, "You never woulda caught me, sheriff, if it hadn't been fer this damn snitcher."

I had'ta go over to New Mex as a witness at the trial, but it ain't particularly interestin' to hear a story all over twict, 'specially when you got a four-thousand-dollar stake hangin' on it. I did feel kinda sorry fer old Jesse James because they'd pulled him offen his fine chicken farm up in Oklahomy where he had a family growin' up respectable.

Both him an' Red got convicted in no time at all. Fin'ly his Honor, the Judge, gits ready to pass sentence an' he asts, "Red Saunders, before the court passes sentence on you, has you anything to say for yourself?"

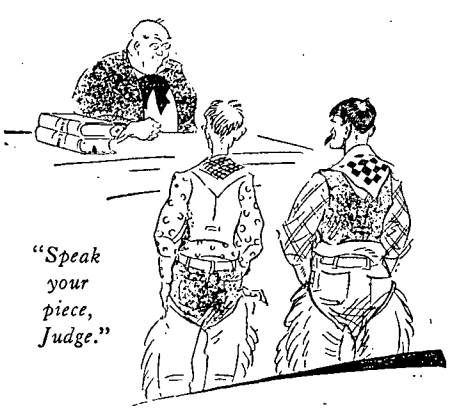
And Red he answers, "Jest put me down, Jedge, fer hatin' a snitcher like hell."

Then 'most everybody in the court room snickers an' some of them claps their hands. I can't help gettin' kinda red in the face an' it's right embarassin,' but the Judge he gits them thinkin' about somethin' else by astin' the same question of old Jesse James which he ast of Red. Jesse stands up there, lookin' like old Andrew Jackson at New Orleans, an' growls, "Judge, the next time I robs a bank I ain't goin' to pick a damn fool gas bag fer a partner. So speak your piece, Judge, an' give me what's comin' to me."

The Judge gives them two years at hard labor. The clerk of the court gives me a check fer four thousand dollars. So you see, all three of us in one way or 'nother gits our starts in life from robbin' the 'Dobe Walls bank.

This story was told me by the owner of the Lone Star Garage of Deepwater, Texas, while he was taking a knock out of the engine of my car. He told it for a true story. And maybe it is. I believed him at first with never a question. However, after he had finished the telling, he continued reiterating that it was a true story. This reiteration caused me to ask him if it weren't a fact that the cheerful liars of the West were men with untutored minds and boundless imagination. He nodded his head expectantly, readily, with such a confirmatory grin playing around one corner of his mouth that I inquired further to learn if the cheerful liars of his region did not treat truth, near truth, and far-distant truth with the same flippancy. "Don't they," I concluded, "even when telling the truth, give it just the twist of picturesque impossibility which tends to keep it from being believed?"

He had watched me closely, even anticipatingly, as I put the question. He waited a moment before answering, appraising me carefully; then he replied, "Mister if I say *yes* I'm stuck; if I say *no* I'm convicted. Mebbe I am a cheerful liar, but I ain't never yet admitted it. Still an' all, Red Saunders' story which I jest told you is a true one an' I stick to that."



"Speak your piece, Judge."

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RABELAIS

ANATOLE FRANCE

(*Continued from page 488*)

concerning the family, country, and character of one's future wife.

Women should not adorn themselves for any man other than their present or future husband. Each one should reveal his or her defects to his or her future partner, but the girl need not undress in the presence of her betrothed.

The husband should not allow his wife to consider herself his equal. However, he must refrain from striking her or maltreating her in any manner whatsoever, for she has two kinds of revenge at her hand. The one is obvious; the other is poison.

The woman's domain is the garden; her tool the distaff. A husband may seek his wife's advice, but let him beware of telling her his secrets.

Let those who wish to be loved by their wives love them in return and be strictly faithful to them. Let married couples refrain from having recourse to incantations, philtres, and other forms of magic whereby people think hearts may be won. Let it be by dint of mutual affection and other honorable means that they cause conjugal love to be born, to endure, and to grow between them.

Undoubtedly the learned Tiraqueau does not treat women as they were commonly treated at that time all over Gaul in stories and farces. His tone is not that of the author of *Fifteen Joys of Marriage*. He wishes to be just. And that is what is serious. To be completely just to women is to do them a complete injustice. Despite the praise which Rabelais gave him, in all matters Tiraqueau was lacking in gentleness and charm. He maintained that, since good women are rare, it is not necessary to make laws for them. He made them suffer for the wicked. In a word, although not an enemy of women, he was not their friend, because he was not a friend of the Graces. His book caused some stir. Aymery Bouchard, president of the court of Saintes, a great friend of the Hellenist Franciscans of Fontenay and of Tiraqueau himself, undertook to refute the *De Legibus Connubialibus* in a Latin work which, by a refinement of elegance, had a Greek title — *On The Nature of Women* — an *apologia* for the sex so harshly treated by the judge.

Rabelais was the friend of Aymery Bouchard; he was even more, it seems, the friend of André Tiraqueau. The latter consulted the young Franciscan in this lawyers' quarrel, although it was not a matter for the Church. For Tiraqueau there was one obscure point in the affair. Aymery Bouchard said in his book that the women had engaged him as lawyer, entrusting him with their defense against the author of *De Legibus Connubialibus*. The judge of Fontenay could not understand how the women had thought of taking a defender in a trial which turned upon a book they had not read, since it was written in Latin. "How did they know they had been attacked?" the judge of Fontenay anxiously inquired. Friar François gave an explanation with which Tiraqueau declared himself satisfied.

"Aymery," said the young monk to him, "who has a taste for women (*mulierarius*, says the text), may well have gone so far, at table or by the fireside, as to translate for them into French, after his own fashion, the passages in the book where the sex is not always spared. He wanted to blacken your character in order to recommend himself to their good graces."

It is evident that already young Friar François was observing and learning to know human nature. But, being too much of a scholar not to consult the ancients, he immediately invoked the authority of Lucian, who recommends the orator to make himself agreeable to women if he wishes to succeed. It is thus that François Rabelais, in the flower of his youth, being involved in this learned quarrel, was called upon to consider the advantages and disadvantages of marriage, between the horns of which dilemma we shall later see Panurge, his other self, suspended.

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La Devinière, the House of Rabelais

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The Persecution of Learning

After what we have seen, it cannot be said that the regulations at Fontenay were very severe or that the monks lived separated from the world. But the chapter and most of the monks looked with an unfriendly eye on the three or four Hellenists of the community. They were afraid that knowledge, and especially knowledge of Greek, would destroy the soul. This fear was not peculiar to them; it existed in every convent. It was believed that Greek made heretics. At Fontenay a certain Arthus Coultant, among others, was very much opposed to the Hellenists, if we may judge by the resentment which he aroused in Rabelais, whose *bête noire* he was. A spy and a calumniator, he rendered every kind of disservice to the studious monks. That is what our author gives us to understand when he calls him, in his joyful indignation, "articulating friar" (that is, looking with curiosity) and "diaboliculating friar" (that is, calumniating).

Finally, the chapter had a search made in the cells of Pierre Lamy and François Rabelais. Greek books were found, some writings from Germany and Italy, and the works of Erasmus. These books were confiscated. In addition a serious accusation was brought against the two scholars. They were reproached with devoting the profits which they drew from preaching the gospel to the upkeep of a large library, instead of consecrating them to the monastic revenues. That is a grievance of which we cannot judge, but whose seriousness we can feel.

Pierre Lamy and François Rabelais, deprived of books and paper, placed in solitary confinement, suffered great woes and feared worse, through the action of these wretched monks whom ignorance and fear rendered credulous and cruel. Friar François, prudent and sage, feared the hobgoblins. That was what he called Friar Arthus and all the other "diaboliculating" friars. Pierre Lamy was not any more confident. At this stage the learned man remembered that the ancient Romans practised divination by reading a book at the place which they had marked with their nail before opening it, and that, as the works of Vergil were preferably used for this purpose, they called this manner of reading the future the Virgilian lotteries. He took a Virgil, slipped his finger into the closed book, opened it, and read at the place so marked this verse:

> *Heu! fuge crudeles terras, fuge littus avarum!*
> Ah! fly from this cruel land, fly from this miserly shore!

Pierre Lamy and François Rabelais did not scorn the warnings of the oracle. Deceiving their gaolers, they escaped by prompt flight from the claws of the cruel hobgoblins and found a sure retreat in the country, for they had friends there. The position of a fugitive monk was none the less precarious and dangerous. From some unknown hiding place, sick with torment and uneasiness, they made powerful personages take action in their favor and found protectors even in the King's household.

The great Guillaume Budé, to whom they both wrote, replied to them with the eloquent and sincere indignation of a Hellenist who saw other Hellenists punished for having cultivated those beautiful studies which he himself cultivated so lovingly. His letter, with its pompous indignation, is in the turgid style proper to all scholars' letters of the period, and of which Rabelais was soon to give us some beautiful examples. For he could be Ciceronian if necessary. Budé congratulates Rabelais particularly on having recovered his books and on being henceforth protected from all violence.

> I have learned from one of the most enlightened and most human of your brothers, and I made him affirm the news on oath, that they had restored to you your books, your delight, arbitrarily confiscated from you, and that you had been restored to your previous liberty and quiet

Guillaume Budé was not mistaken. The two Franciscans were out of danger. The affairs of Rabelais were going well. Friar François received from Pope Clement VII an indult authorizing him to enter the order of St. Benedict and the Abbey of Maillezais, with the title and habit of a regular Canon and the right to hold benefices. These privileges were not yet sufficient for Rabelais who, but for

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the hobgoblins, might perhaps have been an excellent monk. But he could not stand the sound of bells and did not like to interrupt his studies to go to matins. He set out on his travels, saying Mass on occasion. This irregularity was not likely to shock excessively the Bishop of Maillezais, who knew what an exquisite man Friar François was, since he had been a fellow student of his at La Baumette.

Good Living, High Thinking

Geoffroy d'Estissac was a young prelate who, by a special dispensation, was appointed in 1518, when less than twenty-five years old, to the see of Maillezais, where he led a lordly and fashionable life. Maillezais, which is situated on a plain in the middle of the Vendeen marshes, overlooks one of the two branches formed by the Aulise, a tributary of the Sèvre. There stood an ancient abbey, raised to a bishopric by Pope John XXII. Geoffroy d'Estissac, who lived in a splendid manner after the fashion of the Renaissance lords, presented the newly built abbey church with a gateway all glittering with the wonders of the new architecture, and transformed the monastery buildings into a palace in the Italian style, with charming cloisters, a splashing fountain, and broad, noble stairways. Around this beautiful dwelling Geoffroy d'Estissac planted gardens full of flowers and rare plants.

Rabelais, on being received at Ligugé, and lodged perhaps in the circular dungeon where they still show his room, once more found himself in the congenial company of scholars. He formed a particular bond of friendship with Jean Bouchet, a native of Poitou, like himself an attorney at Poitiers, author of *Annales d'Aquitaine* and many other writings in prose and verse. There was good fruit and wine, they say, at Ligugé, but above all there were good books and learned conversations. Rabelais boasted of the wine of Ligugé. Perhaps he was not overcritical. I may say in this connection that I suspect our François of having never known much about wine. He is always talking about bottles, but his bottles were books, and he became intoxicated only with wisdom and good doctrine.

Geoffroy d'Estissac loved the humanists and did not hate the Reformers. At that time in France there were many bishops and cardinals who protected scholars and facilitated the spread of sacred and profane texts. Up to this date, 1524, the Court was favorable to innovations. The Reformation, which was born in France before Luther, had no greater friend than the gentle and pious sister of the King, Marguerite d'Angoulème, Duchesse d'Alençon, subsequently Queen of Navarre. The King himself inclined in that direction. The kings of France have always resisted the Popes as much as possible and François I would probably have remained favorable to the French Reformers to the end if he had not needed the help of the Holy See against Charles V and the Imperialists.

On the other hand, the Sorbonne, the monks, and the lower orders clung to the old customs and old beliefs. The common people of the town supported and defended them with a zeal and a fury of which we shall soon have evidence. Consequently, it is not surprising that Friar François, who was suspect to the monks of Fontenay, was favorably treated by the Bishop of Maillezais. Friar François was wonderfully studious. We know from himself that at Ligugé he worked in his bed in his little room. This was not laziness; the room was not heated. At that time people had no other protection from the cold save the curtains of their bed and the mantelpiece. François Rabelais acquired such learning as to astonish the most learned of his contemporaries. He became a philosopher, a theologian, a mathematician, a jurisconsult, a musician, an arithmetician, a geometrist, an astronomer, a painter, and a poet. In this he was the equal of Erasmus and Budé. But in one respect he is unique, or at least exceedingly rare in his century; his learning was not only from books, but from nature; not literary, but intellectual; not only verbal, but factual and living.

All Knowledge for a Province

It is not surprising, therefore, that he should have thought of studying medicine as the science which penetrated furthest into the secret of life. At least the hope was permissible at that time of great hope. The School of Medicine at Montpellier was very old. The Arabs and the Jews had brought their teaching there. It was

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celebrated for its professors, its privileges, and its doctrines. François Rabelais went to Montpellier; but he did not take either the most direct or the shortest route. That was not his method. He liked fine journeys and, as was said of Ulysses, lengthy wanderings. Like Jean de La Fontaine, who was to imitate him in this as in the art of story telling, he was always ready to take the longest way. In all probability, as he journeyed he visited the towns and universities of France — Paris, Poitiers, Toulouse, Bourges, Orléans, Angers. Finally, on the 17th of September, in the year 1530, he inscribed his name in these terms on the registry of the School of Medicine at Montpellier:

> I, François Rabelais, of Chinon, in the diocese of Tours, have come hither for the purpose of studying medicine and have taken as my sponsor the illustrious Master Jean Schyron, Doctor and Regent of this University. I promise to observe all the statutes of the said School of Medicine which are ususally kept by those who have in good faith signed their name and taken the oath, according to custom, and to this I have set my signature with my own hand, this 17th day of September, in the year of our Lord, 1530.

There can be no doubt that François Rabelais was an excellent student of medicine. We know that he acquired a particularly profound knowledge of anatomy and botany. His curiosity, his zeal for learning, were inextinguishable. But he was also eager for pleasure. Having found gay companions at Montpellier, he took a large share in the amusements of the youth of the school. We have it on his own authority that he greatly enjoyed acting in a comedy, or rather a farce, with his fellow students Antoine de Saporta, Guy Bouguier, Balthazar Noyer, Tolet, Jean Quentin, François Robinet, and Jean Perdrier. It was one of those farces of the type of *Pathelin*, so dear to the people of France in the time of King Louis XII, full of vivid strokes and good comedy. Rabelais entitled it himself, *The Moral Comedy of the Man Who Married a Dumb Wife*, and he gives us a summary of it which is sufficient to describe the action.

The wife was dumb. Her good man wanted her to speak. She learned to speak, thanks to the arts of the doctor and to the surgeon who cut the string of her tongue. No sooner, however, had she recovered her speech than she talked so much that her exasperated husband returned to the doctor, asking him to cure this evil and to make her silent.

"Truly," replied the doctor, "I have among my arts such remedies as can make women talk. I know none that can make them be silent. The only remedy against a wife's chatter is the deafness of her husband."

The poor husband accepted this remedy, since there was no other. By means of a charm, the doctors made him deaf. The wife, seeing that he did not hear a word, and that she was talking in vain, became mad out of spite at not being able to make herself heard. The doctor claimed his fee. The husband replied that he could not hear his request. The doctor threw a powder on his back by virtue of which he became insane. The insane husband and the mad wife made an agreement to beat the doctor and the surgeon, who lay half dead on the floor.

That is the end of the comedy. Rabelais says that he never laughed more than at this farce. That is not surprising. He loved farces and this is an excellent one. What could not be displeasing to a humanist, there was something of Terence in it. The end is taken from the admirable farce of *Pathelin*. Molière drew largely from the analysis given by Rabelais for his *Médecin Malgré Lui*. There are many celebrated centuries of drama in this students' entertainment.

Among the pleasures which Rabelais enjoyed while studying medicine must be mentioned his walks on the Iles d'Or, which we call the Iles d'Hyères, and which are washed by the blue sea, five leagues from Toulon, all flowering with orange trees, vines, olive trees, ivy oaks, pines, palms, and rose laurel. He liked those islands so much that later on he decided to call himself their *caloyer* — a religious title in use among the Christians of the East.

When raised to the rank of Bachelor, according to custom he delivered a public lecture and commented upon the *Aphorisms* of Hippocrates and the *Ars Parva*

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of Galen, and he left the school without having obtained his doctorate. Rabelais could never stay long in the same place. He was drawn to Lyons. Even more than Paris, this was a city of printers. Scholars flocked there, certain of finding work and friends. He went there at the beginning of the year 1532. From November of the same year he discharged the duties of doctor at the Hôtel-Dieu, at a salary of forty livres a year.

Rabelais in Lyons

In medicine we find him torn between two doctrines — the authority of the ancients, which was then supreme (they swore by Hippocrates), and the study of nature, to which his genius constantly turned him. He made dissections, a practice condemned by the Church and disapproved by custom, and one in which the learned seldom indulged. André Vésale, who was still too young, had not yet begun to hunt for corpses beneath the gallows and in the graveyards. At the Hôtel-Dieu of Lyons, Rabelais publicly dissected a man who had been hanged. Étienne Dolet, who had already made a name for himself among the humanists, celebrated this fact as extraordinary and praiseworthy in a discourse in Latin verse which, by a daring fiction, he placed in the mouth of the executed man. He made him say:

> Strangled by the fatal knot, I was hanging miserably on the gallows. Then came an unexpected good fortune which I had scarcely dared ask of great Jupiter! Here I am, the centre of interest in a vast assembly; I am dissected by the most learned of doctors, who will hold up to admiration the machinery of my body, the incomparable order, the sublime beauty of the structure of the human anatomy, masterpiece of the Creator. The crowd is looking, all attention. . . . What a signal honor and what excess of glory! And to think that I might have been the plaything of the winds, the prey of wheeling and rapacious crows! Ah! Fate may now do its worst against me. I am transported with glory.

Rabelais was bound in friendship to Étienne Dolet, who was four years younger than he. In the course of his work he observed a little fish in which he thought he recognized the small *garum* — a sort of anchovy which the ancients used in the preparation of a very choice condiment. After various trials, he flattered himself that he had reconstructed the formula of the ancient pickle, and, putting it in Latin verse, he sent it to Dolet with a jar of *garum*. It is wonderful to see the encyclopædic curiosity of the humanists extending to Latin gastronomy and culinary antiquities. Good scholars, with pen in hand they revived the feasts of Lucullus, and in reality regaled themselves poorly on an eel or half an ell of sausage at an eating house. Even then, as often as not, they had to be content with a herring.

At Lyons, François Rabelais divided his attention between the hospital and the shop of Sebastian Gryphius. He was torn between erudition and medicine. Erudition won, at least for a while. He absented himself from the Hôtel-Dieu without leave, and for this offense he was immediately replaced. Then, in order to live, he made books which were sold in a shop in the Rue Mercière, "at the Sign of the Griffin." This Griffin was the emblem of Sebastian Gryphius, printer and bookseller, who had come from Swabia to establish himself in Lyons about 1524, and who, four years later, was celebrated for the beauty of the Greek and Latin texts issued from his presses. In 1532 Rabelais published with Sebastian Gryphius the *Epistolae Medicinales Manardi* which he dedicated to Judge Tiraqueau, and the *Aphorisms* of Hippocrates, with an epistle to Bishop Geoffroy d'Estissac. He had not forgotten the days of Fontenay-le-Comte and Ligugé.

At the same time he published two fragments of Roman law — the *Testament* of Lucius Cuspidius and a *Contract of Sale*, with a preliminary Græco-Latin epistle to the defender of women, Aymery Bouchard, now King's Counsel and Master of Requests. In this François had not made a very fortunate choice. Both documents were spurious, very spurious, absolutely spurious. The *Testament* of Cuspidius had been fabricated a century earlier by Pompeius Lactus and the *Contract of Sale* was the work of Jovianus Pontanus, who had made it the prologue

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to a comic dialogue entitled *Actius*. How could so clever a man make such a mistake? He loved antiquity; love blinds and enthusiasm is injurious to criticism. We owe our knowledge of the ancients to these great men of the Renaissance. Let us not employ against them what they have taught us. Since the contemporaries of Rabelais do not seem to have very generally contested the authenticity of these two documents, let us not reproach the editor too seriously with an error which his own period had difficulty in recognizing.

Friendship with Erasmus

In the sixteenth century the humanists formed a sort of State in the world, the Republic of Letters. The expression dates from that period. Old Erasmus of Rotterdam was the Prince of that spiritual republic. Rabelais, who had once so ardently desired a letter from the illustrious Guillaume Budé, seized the opportunity which was offered to him in 1532, at Lyons, to correspond with the great Erasmus. A prelate and friend of letters, like so many others at that time, Georges d'Armagnac, Bishop of Rodez, whose acquaintance he had just made, commissioned him in the month of November to deliver to Erasmus a copy of the works of Flavius Josephus. Rabelais accompanied the package with a letter in Latin to the great man, who was ending a life of labor and glory in Basle. For some reason which has never yet been explained, so far as I know, this letter is addressed to the unknown name of Bernard de Salignac. But there is no doubt that Desiderius Erasmus was the person for whom it was intended.

The following passages, literally translated, are most worthy of interest:

> I have eagerly seized this opportunity, O humanest of fathers, to prove to you by grateful homage my profound respect for you and my filial piety. My father, did I say? I should call you mother, would your indulgence allow it. All that we know of mothers, who nourish the fruit of their womb before seeing it, before knowing even what it will be, who protect it, who shelter it against the inclemency of the air — that have you done for me, for me whose face was not known to you, and whose obscure name could not impress you. You have brought me up; you have fed me at the chaste breasts of your divine knowledge; all that I am, all that I am worth, I owe to you alone. If I did not publish it aloud, I should be the most ungrateful of men. Salutations once more, beloved father, honor of your country, support of letters, unconquerable champion of truth.

This letter expresses in the grandiloquent manner of the period sentiments that were very true and very sincere. Rabelais was very familiar with the writings of Erasmus; especially he had read and reread the *Apophtegmes* and the *Adages;* and often when he was writing he would reproduce some passage from these two works. He felt all the more free to do so because at that time to imitate was praiseworthy and it was an honor to prove that one was well read.

While he was accomplishing works of erudition which gave him a place of honor among men of letters, he gave a few hours from time to time to other works which the learned despised but which we nowadays find well worthy of interest. He made predictions and almanacs in the vulgar tongue for the common reader, and into these he put much more of himself than into his learned publications. Into them he gathered a great harvest of pleasantries and vulgar jokes, and also maxims of the highest wisdom. His prophecies were simply jibes and sneers at the astrologers and soothsayers. He made fun of those who drew horoscopes and gave excellent reasons for his incredulity concerning them. "The greatest folly in the world," he said, "is to think that there are stars for kings, popes, and great lords, rather than for the poor and suffering: as if new stars had been created since the time of the flood or since Romulus or Pharamond, at the new creation of kings."

In these popular little books he constantly expresses the idea of a God by whom the universe is governed. Announcing in the almanac for 1533 the future changes of kingdoms and religions, he hastens to add: "These be secrets of the close Council of the Eternal King, who

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disposes everything that is and that is done, according to his own free will and good pleasure, about which 'twere better to say nothing and to adore them in silence."

Birth of the Giants

By 1532 Rabelais had accomplished a task which was even more humble but which was to lead him to make the most peculiar, the most astonishing, the most marvelous book in the world. On a popular theme he had written a story for the entertainment of ignorant and simple people, the story of a giant, *The Great and Inestimable Chronicles of Gargantua.* This Gargantua was not a character invented by Rabelais. His fame extended back into the mists of time; his popularity was enormous, especially in the country districts. In every province of France the peasants could relate his incredible feats of strength, his miraculous appetite. In a thousand places people pointed out enormous stones, sections of rock which he had brought there, a hillock or a hill which had fallen from his basket. The story of Rabelais entitled *The Great and Inestimable Chronicles* is just a hodgepodge of traditional funny stories which had long since become popular. He did not take it to the learned printer, Gryphius, but to a bookseller at Lyons called François Juste, where more of them were sold in one month than Bibles in nine years.

How was Rabelais soon led to make of this same Gargantua and his son Pantagruel the weirdest, the merriest, the strangest of novels, a work which resembles no other and can be compared only to the *Satyricon* of Petronius, to the *Gran Tacaño* of Francesco de Quevedo, to the *Don Quixote* of Cervantes, to Swift's *Gulliver*, and to the novels of Voltaire? It is not possible to answer this question as precisely and as accurately as one might wish. As the sources of the Nile were unknown through many years, so are the origins of Gargantua and Pantagruel unknown to us. On this subject I cannot do better than quote the prudent words of the most learned editor of Rabelais, the late lamented Marty-Laveaux:

> It is guessed rather than known that Rabelais rewrote for the publisher François Juste in Lyons a traditional and long popular joke, which he entitled *The Great and Inestimable Chronicles of the Great and Enormous Giant Gargantua;* that afterwards, amused by his subject and the success of the little book, he added as a sequel his *Pantagruel;* and that finally he substituted for the first formless attempt a new and definite *Gargantua,* which became the first book of the novel, as *Pantagruel* was the second.

Such are the probabilities. Without entering into an arid and confused discussion on this subject, which would lead to nothing certain, we shall make the acquaintance of these two horrible giants — Pantagruel and Gargantua — who are, at bottom, very decent people. We shall live in their company, which is respectable and even exemplary. With them at every moment we shall pass from the amusing to the serious, from the absurd to the sublime. We shall taste alternately Attic salt and kitchen salt. I believe that the taste of both will be relished. But one thing I guarantee: in the company of the giants and their friends, nothing will be heard (I shall see to it) which might offend the most chaste, the most timid, and the most delicate ears. I shall be prudent, I shall. . . . I must stop. It might seem, in the end, as if I promised too much.

TO BE CONTINUED

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WHAT IS EDUCATION?

Forum Definitions

THE best educators in the world — and the worst — are parents. As a rule, parents are more concerned with upholding their authority as parents than with teaching the young idea how to shoot on its own responsibility. Failing in this, they pass on the burden to the college and then blame the college when their sons and daughters come home "college bred in a four-year loaf" with nothing to show for it but a heightened tendency to live beyond their means.

In a well-regulated family the greatest sin of childhood is disobedience; and, up to a certain point, this is as it should be. Lacking knowledge to control himself, a child must necessarily be controlled by some external force. But as he approaches maturity a youth should be given to understand that the time has come for a new experiment in control. As his parents liquidate their receivership over him, the youth is not to view his emancipation as an abandonment of all restraints; on the contrary, he is now to play a man's part and learn to control himself. One must suppose that it was of this principle of inner control that President Lowell was thinking when he said in the April FORUM that all education is self-education.

There is much confusion just now concerning educational purposes and ideals. Some say that education should be practical — that is, teach a trade. Others say that it should produce scholars, masters of learning. But when it is cultivated for its own sake alone, learning may be as irresponsible as art. The Loeb-Leopold tragedy testifies to this. These two young men were rated as extraordinary scholars by the unanimous judgment of their teachers. But they were not educated. They lacked that which is at the very centre of true education — self-control. They had submitted to only half of the educational process. They had taken the measure of the world and had acquired self-confidence. But they had never taken their own measure and had never acquired humility; and without humility self-confidence becomes mere arrogance — the characteristic trait of the new barbarians who stand between the uneducated and the educated.

"Self-education," said President Lowell; "self-control," said Emerson — two aspects of the same thing. Self-education is the process, self-control the achievement; and by the achievement shall the process be tested.

Prizes are awarded for the following:

1. Education — a three-fold process developed by man in a desire to facilitate the application of past experiences to making further progress: first, a disciplining of the mind to enable it to function in its most productive manner; second, a widening of interest in the nobler things of life through intelligent understanding and appreciation; third, a discovery of one's own qualities and potentialities through impartial self-examination, leading to their development. (*Ruth B. Wellman, Deerfield, Mass.*)

2. Education — the process of getting acquainted with the universe. (*W. P. Brown, New York City*)

3. Education is the knowledge, acquired through the systematic and harmonious cultivation of one's natural powers, which gives one the ability to adjust himself satisfactorily to his physical and intellectual environment. (*Mrs. Charles Arthur, Ansonia, Conn.*)

4. Education — a subject taught in normal colleges by abnormal professors to subnormal students. (*Mary Milligan Stark, Laramie, Wyo.*)

Next word to be defined: — HAPPINESS. *Definitions, typewritten and not exceeding 100 words, must reach the Editor by October 25. Prizes of $5.00, or any book mentioned or advertised in* THE FORUM (*value not exceeding $5.00*), *for each winning definition.*

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The Editor will be glad — space permitting — to publish in these columns brief letters commenting upon any article or subject that has appeared in THE FORUM.

The Jury

Obiter dicta on that antiquated but sacrosanct institution as discussed in this and prior and coming issues of THE FORUM.

Editor of THE FORUM:

The jury has been a very useful institution. I say *has been!* Whether it will continue to be, depends upon whether or not it can be remodeled to suit modern conditions.

That at present it is held in very general contempt will not be denied by anyone who has been cognizant of current comment regarding recent political and criminal trials. In practical operation it does not command the respect of the legal profession, nor of business men, nor of people of intelligence generally. Instead of being looked upon as a worthy part of a scientific establishment for the administration of justice, the common disregard in which it is held is portrayed by the jest as to the three greatest uncertainties of life: woman, a horse race, and a jury.

If one will have the patience to watch an ordinary trial lawyer through a jury trial and observe his designing methods in selecting the jurors, his quips and quirks in examining and cross-examining witnesses, the stage play in his objections addressed to the judge and repartee with opposing counsel, and the sophistry and bunkum in his final argument, one will at least perceive that the lawyer is not actuated by the same zeal for exact methods which inspires the modern scientist in his search for truth. If you ask him, he will tell you that the jury is his reason and excuse for such tactics. He does not like such practice, but he feels that his client's interest would be sacrificed if he did not pettifog. He will not employ the same methods in a trial before the judge alone.

If a business man has, with reference to the jury, any feeling that is stronger than his mistrust, it must be his disgust when he is called to serve. It is astounding how consistently he will object to serving as a juror, and how persistently he will complain about the mental calibre and want of business intelligence of the jury, and his own inconsistency never becomes apparent to him.

Yet I sympathize with the business man. The system should be reformed to command his respect, so that he could give of his time and abilities without too great sacrifice.

Is that possible? I think so. The problem is to get the general public to consider the question, for the necessary constitutional and other changes cannot be made without popular favor.

Our jury system was brought from England by our forbears, whose early struggles to secure its benefits in the new country fixed it in the popular mind as one of the cornerstones of freedom. As descendants of those sturdy men who had wrested the great charter from King John, the colonists quoted its guaranty as to jury trial as proof of their own right. And when they had gained their independence they provided a safeguard for their precious legacy in the federal constitution.

So great was the political significance of trial by jury in the public mind that every state put a guaranty concerning it into its

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own constitution. And then they went further — too far. Led by demagogues who sought personal favor by championing the popular fancy, the states provided that no judge should ever express to the jury any opinion on the credibility of witnesses or the weight of the testimony. Thus they removed from the democratic engine its legal governor. And so it has been running in the states to this day, until it has become loose in its bearings and dangerous in its operation.

It is that over-emphasis of the political significance of jury trial which has prevented any modification of the system to meet the changed conditions of modern times. It cannot be denied that there was a day when the chief function of the jury was to prevent oppression by a superimposed government. But those days are gone. To maintain the jury system as it is, merely as a defense against unjust proceedings by the government, is as unnecessary as to maintain a stockade around our cities as a defense against Indian raids. The very spirit of the times has changed. And if trial by jury is to continue to be "the peculiar glory of the English law," as Fortescue called it, it must be modified so as to meet the needs of this day as it met the needs of his time. The time has come in our affairs when a remark contained in Forsyth's "History of Trial by Jury" has particular force:

> It has too long been the disgrace of the English law that it pertinaciously adheres to forms which are inconsistent with truth.

Before considering any change in the system, however, we should consider carefully its merits, so that they may be preserved if possible.

The essential virtue of our jury system lies in the practice of drawing from the public a continually fresh element to assist in determining cases. It keeps the administration of justice closer to the people than a permanent commission of experts would be. By a changing personnel it not only minimizes the possibility of corruption, but, what is more important, it lessens the suspicion of corruption; for there is truth in the remark of Bentham, that it is even more important that the administration of justice should be believed to be pure than that it should actually be so.

This advantage (the drawing from the public jurors who are not known until they are drawn) can easily be preserved while changes are made for the improvement of the system. And also such merits as public trial and division of the issues of fact and law, if they are considered as part of the jury system, could be preserved under changed procedure.

A conspicuous need of improvement is in the method of impaneling the jury. The present practice in both federal and state courts is time-wasting, tedious, destructive of confidence, and altogether ridiculous. First the lawyer of one side asks each juror a lot of questions — some of which are pertinent and many of which are impertinent — intended not so much to discover a legal cause for challenge as to pry into the juror's history for any incident which, in the lawyer's arbitrary opinion, might create a bias. And then the attorney of the other side repeats the tedious process. And, with their eyes on the list of uncalled jurors, the lawyers exercise their challenges, no more with the purpose of avoiding prejudice against their clients than with the hope of obtaining a juror with a more favorable bias. And during the proceeding, the artful lawyer indulges in such by-play as he thinks may catch the fancy and favor of some gullible juror.

How much better is the English practice where the judge tries the jury! Professor Sunderland of the Law School of the University of Michigan, who has made a study of English practice, recently said:

> The impaneling of an English jury is a dignified and impressive performance. They have already been selected for character and intelligence, like the judges themselves. The clerk, as the representative of the government, not of the parties, draws and swears them, thus giving them a status independent of the contending parties, like that of the judge on the bench. Freed from the hostile inquisition of the rival lawyers, the jurors undoubtedly approach the case in a much more judicial frame of mind than would be possible under the American practice, and this clearly manifests itself in a closer coöperation between jury and judge.

In order to develop further this closer coöperation between jury and judge, our states should restore the valuable custom of summing up, with the right of the judge to make such comment on the weight of the testimony as he may deem expedient. Creasy shows this practice to be one of the eminent merits of the jury system, since it gives a peculiar guaranty that all who take

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part in deciding a cause, both the judge and the jury, will exercise their best powers of attending and of reasoning, and will not give way to hasty impressions.

One of the greatest evils of our jury system is the rule requiring a unanimous verdict. Within comparatively recent years some of the states have mitigated this evil by allowing nine jurors to give a verdict in certain civil cases. So far, so good; but the rule ought to be abolished in all cases. It is contrary to human experience and to the custom of other deliberative bodies all over the world. It is unreasonable, inconsistent with truth, obstructive of the prompt administration of justice, and destructive of confidence in our courts. Our daily experience teaches us that twelve people can rarely be found who will agree on any debatable question. Anyone familiar with juries knows how very rare a real unanimous verdict is. The only reason that verdicts are obtained as often and readily as they are under this rule is that the minority are unwilling to stand out against odds and entail upon the parties the cost of a new trial. They yield to the majority contrary to their judgment and conscience and thereby violate their oath. Would it not be better to let the majority prevail in the verdict, and let the minority preserve their integrity of judgment? And would not the possibility of corruption be further removed by a relaxation of the rule requiring unanimity? If one juror can defeat the ends of justice by preventing a verdict, is it not easier for a corrupt party to gain his end than it would be if three or more jurors were required?

Another point at which blind custom and mental inertia must give way to reason and enlightenment, is the requirement as to number of jurors. There is nothing sacred about the number twelve. It was an arbitrary number fixed upon at a period when life was simple and time and men were plentiful. But now it outrages the modern sense of economy to see twelve persons engaged in a task which could be performed as well or better by seven or five or three. Even if a jury of twelve is deemed necessary to determine the fate of a person accused of treason or murder, it is difficult to see why such a formidable array should be required to dispose of the countless cases of small import.

Some of the states have provided for juries of less than twelve in their inferior courts; and England, about seventy-five years ago, permitted juries of five in the county courts. It is a practice which could well be extended to all the state and federal courts, for the settlement of minor cases. Provision should be made — where it has not already been done — for the waiving of jury trial, and attorneys should encourage their clients in this practice. Many cases, where the right to jury trial exists, can, nevertheless, be more expeditiously and accurately determined by judge alone. And judges should not shirk this responsibility. It would be better, indeed, if the law provided that the facts and the law of such cases should be decided by the judge, unless a jury is demanded. Parties would frequently refrain from demanding, where they would not agree to waive. One of the benefits of such practice would be the reduction of jury service to such an amount as intelligent citizens could freely give. By reducing the quantity, we should improve the quality of this service.

In this connection, provision should be made for the calling of special juries. It is a practice which was known in the earliest times of jury history, "and was introduced," says Forsyth, "for the better administration of justice, and for securing the nomination of jurors duly qualified in all respects for their important office." While we hold so tenaciously to most of the common law practice, this custom, which seems peculiarly suited to our age, has been neglected. Although this is an age of specialists, our juries have not been affected by this spirit of the times. There has been no attempt to adjust the jury to the requirement of the case. There are several reasons for this. In the first place, we have fallen into the easy way of calling most of our jurors from among those least likely to ask to be excused. And those are, for the most part, farmers, women, and idlers; business men think that the urgency of modern life, the tediousness of court procedure, and the petty nature of many cases, justify their going to great length to avoid jury service. Then, too, many trial lawyers have been so zealous to avoid prejudice, that they have been apprehensive of any knowledge on the part of the juror of the subject matter of the controversy. Their effort for an open mind has

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caused them to avoid a well-informed one.

But surely democracy does not demand deficiency! And lawyers, who ought to know that jurors were originally called from the vicinage because they were presumed to know the facts of the case, should not now object if jurors are called who are presumed to know enough to understand the testimony of the case. Business and professional men and women, if called as specialists in cases worthy of their attention, would more readily serve.

Quite recently there has been some improvement in this direction. Some of the states have enacted statutes to do away with the old evil of having partisan expert witnesses give contradictory statements and opinions in a case. Instead of allowing each side to call its own paid experts to champion its cause, and then be subjected to tedious and often senseless cross-examination by opposing counsel, the judge is empowered to appoint impartial experts to determine the special issue and report their findings to the court. This is, to a certain extent, a reversion to the ancient custom of uniting the function of witness and juror. And in many cases the custom should be expanded to the extent of calling jurors who are familiar with the subject matter of the controversy.

Under present conditions, the freemen of industry and the barons of business are too often denied the guaranty of the great charter, the judgment of their equals, because the jurors are less than their equals.

The modern jury has become the trench of ignorance, instead of the bulwark of freedom. Instead of being the arm of justice and truth, it is too often the camouflage of passion and prejudice.

ROBERT N. WILKIN

Dover, Ohio

Murder!

Another incident in the life of "Hill Country" — the FORUM-*Stokes prize biographical novel which was completed in the August issue.*

Editor of THE FORUM:

Just completed the second installment of "Hill Country" covering the trial of Andy, defended by the famous Erwin. Your description of Erwin is charming. I saw him in one of his greatest efforts where he handled the defense of Oswald, who murdered Pat McWeeney in '86. It was a clear murder but Erwin had the case won and was just about to begin his final speech to the jury, when my room-mate walked into court with the heart of McWeeney, the bullet hole through it. He had gone to the burial lot during the night, exhumed the body, held post-mortem, and found the bullet in the wall of the chest back of the heart.

It was Bill's Waterloo — he was "busted." The case was lost just as he was sure of winning. I don't think Erwin ever got such a trimming before or since.

I happened to be the first to enter the saloon where the shooting was done; it was still full of smoke and Oswald was just disappearing from the back door, while Pat gasped his last breath on the floor. I was deputized and ordered to shoot Oswald on sight; a cordon was formed around the square, but he had escaped and was caught later by Ed Pierce — night-watchman — at Alice Gray's house, and securely locked in the only steel cell of the jail before the crowd could get him. Here the sheriff placed armed guards to keep the lynchers away, and secured a trial in court with Erwin to defend him. We laid Pat's body across a couple of stud-poker tables and as my post was at the front door with a view on the two streets that converged there, it was not long until there appeared running toward me the form of a woman with only her night attire on and her hair streaming in the wind. Her screams were heartrending in the 32 degrees below zero weather. It was Pat's wife. I caught her before she could turn the corner and see her husband's body as it lay limp on the card tables inside the window. We got her bundled up in coats and blankets and away before she saw the terrible sight that I was forced to witness — for both parties were good friends of mine.

The murder was wholly uncalled for. Oswald had dressed up in his cowboy outfit and was out for a time all alone. He had been practising with his six-shooter at bottles on the back bar, and took a crack at the violinist's ear while he played to the accompaniment of the piano inside the front door. Pat was on his way to the New Year's dance and had stepped in for a drink. As he approached the bar, Oswald said "Come an' have a drink with me yo'

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Irish —— ——" and as Pat came along side he answered, "Don't call me that, Billy, but I'll take a drink with you" — and Oswald swung his gun as if to cover Pat. Pat threw up his arm to ward off the gun. It caused Oswald to lose his balance and he tried to recover but came to the end of the bar where he no longer had support and fell to the floor with his gun arm under him. He rolled off it and began shooting. The first ball hit the ceiling, but the others took effect and Pat staggered back, sinking in a heap in the corner. I heard the shooting and stepped in just in time to see him expire. They were good friends.

M. I. McCreight

Du Bois, Pa.

Borden vs. Boredom

Positively the last notice given to the axploits of one Lizzie Borden.

Lizzie Borden took an ax
And gave her mother forty whacks;
Though for murder it was meant,
It really was an axydent.

Ruth and Dorothy Bond

Portland, Me.

Companionate Marriage

The medical profession enters the witness stand against the issue.

Editor of The Forum:

The debate between Bertrand Russell and William McDougall has roused me to discussion. Medical men have been strangely silent on the subject of companionate marriage and it may be of interest to know what one member of the profession thinks about it.

The entire propaganda for companionate marriage centers around two false hypotheses: first, that the sex instinct must always be gratified and never controlled; second, that birth control methods are sufficiently reliable that two people undesirous of rearing a family can live together and indulge in unlimited sexual relations without the possibility of pregnancy resulting. The conclusion the proponents of companionate marriage seem to draw from this perfection (?) of birth control methods is that *if* an accident happens and a child is born, then the marriage becomes *ipso facto* an ordinary marriage and because of its having been "companionate" in the beginning it must be a complete success as a permanent affair!

Sex has been emphasized out of all proportion in the last few years largely as the result of the teachings of Freud and the other psychoanalysts. Their theories teach that one is in grave danger of disintegration of the ego if repression of any instinct and especially the sex instinct is practised. Just what is meant by "repression" is hard to determine. If it means self-control, then it is difficult to see wherein lies the danger. If one were to take seriously the statements of Judge Lindsey and Bertrand Russell, he would be forced to the conclusion that practically none of our unmarried young people are likely to disintegrate as a result of repression of the sex instinct. However, their statement of conditions, bad as they may be, is certainly an exaggeration. Among the examples I can cite this. A questionnaire on a large scale was conducted by one of the medical officers of an American Army division that had seen long service in France. This division was composed largely of college men and of the entire division over half had refrained from sexual relations during the entire period of army service. Did the repression harm the soldiers?

The so-called "sex instinct" is the easiest of all our emotions to control. The impulse to sex gratification requires a definite mental stimulus. One's mind must be centered on sexual thought before the bodily response occurs. This statement may be doubted by many, but a little self-analysis will prove the point. When one is actively engaged either physically or mentally, sex thoughts are in abeyance and sexual stimuli do not intrude. One must first think sex before physical demand for gratification takes possession. Certain individuals are unable to control their thought processes. Such individuals either should have been born in the middle ages at a time when their actions would not have been noticeable, or they should be placed in the psychopathic ward of some hospital. Legal establishment of companionate marriage would not cure them.

Bertrand Russell says, "It is positively desirable that young people should have experience of sex without at first having children." At what age would he consider

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it "positively desirable" for them to begin having this experience, and for how long? One would infer that they should begin to accumulate experience as early as it is physically possible, for if repression is harmful or undesirable to a man or woman between the ages of twenty-one and twenty-seven, why is it not equally harmful or undesirable between the ages of fourteen and twenty-one? Such a line of argument is specious on the face of it. What we need more than a legalized way of gaining "experience of sex" at an early age is more education and more emphasis on the harmlessness and the desirability of self-control of sex.

Regarding birth control, the keystone of companionate marriage, this must be said — there is no method of contraception known to the medical profession short of a surgical operation on either party that guarantees 100% protection. Added to the uncertainty of all commonly used methods is this fact — that all of the methods apparently have higher efficiency out of wedlock than in wedlock. There are a number of reasons for this; exposure is less frequent and the added disgrace of failure out of wedlock tends to promote greater attention to detail.

Do the advocates of companionate marriage actually maintain that an accidental pregnancy will be welcomed and that such a pregnancy will be allowed to proceed uninterrupted? Or are they willing to go the whole way and advocate unrestricted abortion at the patient's request? Far from settling the abortion problem, companionate marriage would almost surely increase the demand for illegal operations. Some good might accrue from removing legal restrictions on abortion. As the law now stands no reputable physician will perform the operation and the inevitable result is that countless numbers of abortions are done annually by ignorant midwives or by unskilled physicians under such conditions that maternal mortality and morbidity are simply appalling.

Why muddle up a bad situation by adding a more confusing complication? We already have birth control, and, imperfect though it be, it is still highly desirable as it gives all it is intended to give — relative protection. We therefore have marriage that within certain limits may be companionate. The only essential of Judge Lindsey's proposed solution of all marital ills that we now lack is the solution of the question of divorce and alimony. It is his own suggestion that modification of the laws to admit of separation by mutual consent and without alimony when the marriage has been childless would be desirable. Would it not be sufficient?

LEE M. MILES, M.D.

St. Paul, Minn.

Progress

When I was young
I used to wish
To write like Shelley,
(Percy Bysshe).

But now I long
(With purpose starker)
To vie with Hoffenstein
And Parker.

My aspiration
Is to sell
Like Dorothy
And Samuel.

In fact, it often
Makes me laff-o
To think how once
I worshiped Sappho.

But then, perhaps,
In erring, she
Helped Samuel
And Dorothy.

NADEJDA DE BRAGANÇA

New York City

Jazz

When asked whether or not jazz is music, Mr. Irving Berlin counter-questioned "What is jazz?" The following letter may perhaps answer both questions.

Editor of THE FORUM:

It is perhaps easiest to attack the problem of whether or not jazz is music by pointing out what seems to me a fault in both the FORUM articles on that subject. In spite of their intrinsic interest both articles display a vagueness, or perhaps a fear of becoming too technical in the presence of the average reader. Thus Mr. An-

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theil says that jazz contains melody, harmony, and rhythm, but he fails to indicate clearly the particular and distinctive kind of each which differentiates jazz from other music. Likewise Mr. Spaeth makes jazz identical with a general revolutionary tendency in all art, which would not distinguish George Gershwin, for instance, from Schonberg, to say nothing of Gertrude Stein, Matisse, or even Beethoven. Jazz would express no more than the idea of innovation. In the music of one of the most radical of innovators, Paul Hindemuth, with its contrapuntal texture, there is a greater resemblance to Bach than to Irving Berlin.

In deciding whether jazz is music or a method of treating music, I must say that I prefer Mr. Antheil's position to that of Mr. Spaeth, though I suspect that their disagreement is largely verbal. For after all, what is meant by "treatment" or "applying" jazz to rhythm, melody, harmony, or tone color? A theme can be treated in the form of variations, folk songs can be woven into a rhapsody, but to "treat" rhythm, melody, etc., suggests that they are metaphysical entities in a class with medieval "universals" or "Platonic ideas." They are what George Santayana calls "concretions in discourse" not "concretions in existence" and are arrived at by a process of abstraction from what are the real, individual rhythms, melodies, harmonies, etc. This treatment would be only making new rhythmic, melodic, and harmonic patterns, which is what Mr. Antheil claims for jazz, and which would make it distinctly music.

What then is jazz? Here again we must guard against making a mythical or metaphysical entity where none exists. The method of empirical philosophy furnishes an interesting analogy. An object to an empiricist is nothing but a concatenation of sense impressions whose contiguity is always recognized by the mind. Why then is not jazz merely a concatenation of certain rhythmic, melodic, and harmonic forms which must occur together to produce what we experience as jazz? The elements, it is true, are very subtly blended (Mr. Antheil attests to the difficulty of distinguishing them), but there is no supra-sensuous demon lurking in them. Even what a real devotee of jazz would call its special flavor is merely this blend plus the emotional reaction it effects within him.

The basic element of jazz is unquestionably the foxtrot rhythm with its four fundamental beats to the measure. The first and third receive a primary accent, the second and fourth a secondary, sometimes heavier than the primary, and in the orchestration usually given to other instruments. Between these beats sparkles the melody, introducing minor accents and syncopated rhythms, furnishing a rattling crossfire to the foundational "tum-tum-tum-tum." Melody and harmony are much less aboriginal, the former being frequently borrowed from the classics, the latter from the modernists, but, as Mr. Antheil says, distinctive forms have sprung up to fit the rhythm. Instrumental buffoonery and the well known vocal "do-de-yo-do," imitative of the former, are the external paraphernalia of jazz.

When one of the ingredients is missing, the result is not jazz. Pure jazz can seldom be made out of unadulterated classical melodies, an instance of genuine "treatment." Standard composers generally fail when they attempt jazz because they omit some of the basic ingredients and concentrate on the trappings. The late Victor Herbert used to write in his own vein, then sprinkle on a few jazz garnitures. Leo Sowerby's "Synconata" is a hideous compound of all the more blatant and cacophonous jazz instrumentation without the inherent redeeming graces. Even John Alden Carpenter's "Skyscraper" achieves jazz only for moments at a time. Nor can emotional appeal alone make jazz. Mr. Stokowski not long ago drove away a score or so of staid Philadelphians from the Academy of Music by playing Henry Eicheim's "Burma," a piece utilizing native percussion instruments imported for the occasion. The barbaric abandon of this piece was emotionally the nearest thing to jazz that I have heard from a concert hall, yet in other respects there was no similarity. I quite agree with Mr. Spaeth that the only authentic jazz of lasting merit has been produced by George Gershwin, a composer schooled and steeped in the jazz tradition and familiar with all its aspects. Perhaps he will rise to the occasion of Mr. Antheil's demand for a composer who will make an honest woman out of jazz.

GEORGE W. HOWGATE
Pitman, N. J.

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The Humanistic View

Mr. Babbitt has read Mr. Eliot's article in the July FORUM.

Editor of THE FORUM:

As an exposition and critique of the position I am attempting to develop, Mr. Eliot's article, "The Humanism of Irving Babbitt," strikes me as confused and sophistical and in certain important respects positively inaccurate. It is not without interest, however, for the light it throws on Eliot's own perplexities and also no doubt on those of a portion at least of his numerous following of young intellectuals in England and America.

IRVING BABBITT

Paris, France

Religious Intolerance

Should Protestants invoke the blessing of the Lord only on Protestantism?

Editor of THE FORUM:

Knowing your interest in and your unprejudiced presentation of varying phases of religion, I am moved to write you the following:

"God bless Protestantism!" The minister's prayer echoed through the cool formality of the old church of American architecture. I raised my head from its deferential pose. "God bless Protestantism!" In a city church in the year of our Lord, 1928!

I am a Protestant by accident of birth, a churchgoer by inclination. I find a sedative and relaxing quality in beautiful old buildings, measured and rhythmic music and intellectual stimulus in thoughtful sermons. Because religious service has that capacity to calm, relax, and stimulate, instilling into hectic lives a quiet beauty, I feel it has a real place in modern civilization. But, has Protestantism contributed more than its alloted third from the trinity of Catholic, Jew, and Protestant to an emotional universe, that a single preacher may stand in his pulpit and call down upon it the blessing of the God it serves, excluding its other two companions? Is it possible that by word or implication, in similar fashion, somewhere a priest may call upon God to bless Catholicism and a rabbi for his blessing upon Judaism?

My mind wanders toward those religious contacts that have left with me pleasant memories and definite impressions. I list them for you.

The sermons of a Reformed rabbi and a Unitarian minister are clearest in my mind for intellectual stimuli.

The services of the Church of the Madeleine in Paris and a Mennonite church in Southern Pennsylvania present the clearest picture of beauty, solemnity, and inspiration.

The two personalities involved in the profession of a practical religion that have aroused my personal admiration are an orthodox rabbi of patriarchal dignity and sincerity of faith, and a sister of the House of the Good Shepherd who uses both wisdom and wit in the performance of her duties.

I claim that each of these diverse religious activities justified its reason for existence when it left a lasting impression upon me, one unimportant individual. Otherwise, there is no validity to our psychological assumption of the value of association and emotional impression, and no meaning to those words the pious Christian cherishes:

"Even as ye have done it unto the least of them ye have done it unto Me!"

Nor will any statistician confute me when I say that by all laws of average, I could not possibly be the only person these forces have to some extent influenced. Furthermore, no one will deny that each religious group and all religious effort has at times and in various instances been detrimental rather than effectual. So is the same true of literature, art, music, science, and all those elements which make up a progressive civilization. Yet we learn to control the detriment and enforce the desirable and so hope to achieve an ultimate efficiency. Can we hope less for religion?

But will our hope ever achieve realization until we recognize the essential value of color, serenity, and stimulus that underlies all its forms and expressions?

Are we blasphemous if we wish that the individualistic prayers of priest, rabbi, and minister for benediction on his own special province, in preference to all others, never reach the Divine Throne to which they are addressed?

May there be substituted for them through some inner consciousness, upon

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the lips and in the hearts of each and every priest, rabbi, and minister, the words an English novelist has handed down to a generous humanity:

"God Bless Us Every One!"

ADELINE E. DARTT

Brooklyn, N. Y.

Fearful Pleasures

The ups and downs of mob psychology.

Editor of THE FORUM:

In reply to Mr. Hoppin's "Pleasures of Fear" there is little to add, as he seems to cover the field, essentially.

I believe, however, that the most fundamental and widest field of this fear is the fear of colorlessness; it covers our conduct — our exaggerated conduct — with a completeness and variety that is limitless and begins in babyhood. One recent phase of this amuses me mightily, and that is our "fitness" fear. Picture to yourself a million or more homes in our great republic, where the family, *en masse*, are stretched out on the living-room floor, before the radio, taking their morning u-u-ups and d-o-w-ns to the ump-ta-da of jazz.

"Splendid!" you say. Yes, it is a splendid example of the mob's reaction to the pleasures of fear.

EVA S. BROWNING

Peconic, L. I.

Jury System

An English reaction to Pierre Lepaulle's article in the July FORUM.

Editor of THE FORUM:

The limitations on jury service imposed during the war have been removed by statute. This was done because the call upon man-power for war purposes had ceased; but, mainly, in response to a widespread demand for the resumption of jury service in civil disputes. This demand came from litigants who preferred to have the assistance of jurors, not from any want of respect for judicial determination of issues but as a result of confidence in the judgment of jurors which has grown and deepened with the development of the English administration of civil justice.

This preference is partly historical and partly psychological. The similarity in origin of American conditions would lead me to expect the same result. It is true that in some directions confidence in jury decisions has tended to weaken since the close of the war, but, on the whole, resort to jurors in civil disputes now restored by statute is generally approved in England.

HOLFORD KNIGHT

Barrister-at-Law, The Temple, London

Another Translation

The reading of Paul Eldridge's poem in the September issue of THE FORUM *caused Ho Fang to answer his old pupil.*

The meaning of poetry, beloved Wun Lung?
Lotus leaves
Floating in dew,
Soft, sweet, succulent —
Like pancakes
In syrup.
Such is poetry, Wun Lung.
Has it a meaning?

I sit in my garden
And twiddle my toes
In iambic rhythm,
Or I twiddle my toes
Unrhythmically —
What matter?

I shall sing of my toes,
I shall twang a lute
And sing of pink toes.
They are newborn babes
Romping at play,
They are buds
Peeping beneath the walls
Of Tsing-Tsing,
They are moon-drops,
Lucent bubbles,
Or what have you?

Poetry, O most highly favored Wun Lung?
A metaphor or two,
Some weird locutions,
A suggestion of *Djer-Kiss*,
Some Chinese names —
What more?

J. O. W.

New York City

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Is Capital Punishment Right?

The September FORUM *presented the views of two lawyers — differing in nationality as in ideas. R. L. Calder, Canadian barrister, declared the death penalty justifiable under certain conditions; but Clarence Darrow, American criminal lawyer, called it the mob's revenge. Commenting letters, strangely enough, were exactly even in distribution for and against capital punishment.*

YES

I believe a swift sentence and capital punishment — without publicity — should be dealt assassins who premeditate and carefully execute their deviltry, such as Crippen of England, Loeb and Leopold, and Gray and Snyder, and all professional murderers and gangsters.

FREDERICK MACMONNIES
New York City

I have no question at all but that capital punishment is right; whether it is politic or not is another question. The only thing that would lead me to favor abolishing capital punishment would be a state of public feeling which would lead juries to acquit. If we cannot combat the mushy sentiment which leads to such acquittal, we must arrange our penalties accordingly.

HORACE D. TAFT
Watertown, Conn.

There are some crimes so vile and monstrous that nothing short of total annihilation should await the demons who commit them.

EDWIN CARLILE LITSEY
Lebanon, Ky.

Where a murder is premeditated and executed, whether by a single individual or a gang of men, the law should be upheld by taking the life of the criminal who destroyed another life.

MAUDE MURRAY MILLER
Columbus, O.

I think that in our present state of defective enforcement of the criminal law, both in the discovery, trial, and punishment of crime, capital punishment is still a necessary deterrent in the case of wilful murder.

J. RODMAN PAUL
Philadelphia, Pa.

Not only am I in favor of capital punishment, but in a complete revision of our court procedure, whereby the death penalty may be more swiftly and frequently applied. This, as nothing else, will strike home to the incipient criminal respect for the law, and to the parents of America, the obligation which rests upon them in respect to the child.

FREDERIC ARNOLD KUMMER
Baltimore, Md.

Capital punishment must endure in America just so long as our consistently irrational state governments refuse, all together, intelligently to legalize a new criminal code that will wipe out the futile practice of trial by jury.

JOHN A. STEWART
New York City

NO

Respect for the sanctity of human life is not increased by the system of capital punishment, and since society seems also less well protected than it would be by some lesser penalty, in my opinion the time has come when in civilized and Christian nations it should be abolished.

RIGHT REVEREND G. ASHTON OLDHAM
Albany, N. Y.

I am not in favor of capital punishment, but for the equivalent. Offense being murder in the first degree, I would substitute life imprisonment at hard labor, the proceeds of the labor, or a part, to go to the person or persons wronged and handicapped by the murder.

DONALD B. PRENTICE
Easton, Pa.

I am unqualifiedly opposed to capital punishment, since it is ethically unthinkable, morally wrong, and a complete failure as a crime deterrent.

DR. ALBERT SCHNEIDER
Berkeley, Cal.

A life for a life merely shifts the criminality to the state and does not solve the problem. All punishment should be reformatory. In this way only the state serves society. The morbid publicity given to executions brutalizes society and fosters blood lust.

JESSIE B. RITTENHOUSE
Kent, Conn.

I am convinced that legal killing, no less than private murder, is a shattering of the chain of circumstances that daily leads from man to God. If a man breaks the cardinal rule of organized society, the most that society should do is to retire the offender from all social life. Solitary imprisonment, without hope of release, is sufficient punishment.

P. H. W. ROSS
Newark, N. J.

Punishing a criminal with death, whatever the crime, is merely the gratification of the revengeful spirit in primitive man, and is an easy way to escape responsibility for the diseased condition of society, of which the crime is merely an expression. It is simply mob spirit organized and legalized.

GILBERT E. ROE
New York City

Capital punishment is fundamentally wrong. Among an uncivilized people it may be a social expedient, but it is a confession of failure to understand certain social diseases.

DR. HERVEY W. SHIMER
Cambridge, Mass.

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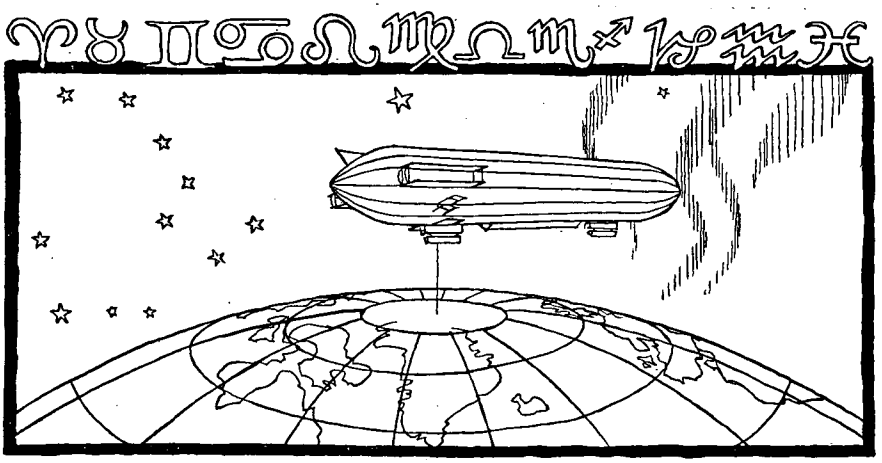

OUR MUDDLING WORLD

International Relief Expeditions

SALVADOR DE MADARIAGA

TWO names have dominated the summer: Nobile and Kellogg. The unfortunate expedition of the Italian general to the North Pole and the fortunate expedition of the American Secretary of State to the Pole of Peace have held the floor in the columns of the press — a mixture of metaphors as bold as any of the two adventures in honor of which they are proffered.

In the eyes of a superficial observer, the Nobile and the Kellogg achievements could not be bracketed together by any stretch of imagination. But we are not superficial observers — at any rate, not unless we want. (The observer, however capable of diving, must of course remain alive to the events which take place on the surface. All depth is not in the deeps.) We grant that while General Nobile's airship flew in the cold air of the pole over the frozen and slippery waters of the Arctic Ocean, Secretary Kellogg's peace balloon sailed in the cold atmosphere of international politics over the frozen and slippery waters of diplomacy; we also grant that, while the first ended in failure, disaster, and humiliation, the second was crowned with success, all-round contentment, and a modest and becoming air of achievement.

And yet, there is a haunting suggestion of a family air about the two events which keeps alive the temptation to compare them in spite of the unpromising beginning. A temptation, we have said. Let us remember Oscar Wilde's remark: "I can resist everything except a temptation." Let us then yield to our temptation and reap whatever reward the devil has in store for us.

There is, of course, a first feature in common between the two: both are *world events*. Both fall, therefore, within the jurisdiction of these articles in which we look down — if we look at all — on any but world events as mere provincial little happenings, unless at close inspection we detect in them sidelights of world significance. In these two cases there is not the slightest doubt. We are dealing with world events. But still, world events are numerous and the fact that two events are world events does not suffice to make them members of the same family.

There is, however, another similarity between them. Both are world events undertaken by a particular nation or government *with a considerable degree of distinctly national initiative in striking contrast to the essentially collective aim which was contemplated.* If you come back to the

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origins of the Nobile expedition, there is no doubt that at the time, the adventure — still in the radiant future — was surrounded by a good deal of Italian flourish of Italian trumpets. "You wait and see what Fascist Italy can do in pole hunting," the trumpets seemed to blast. "You Nordics may imagine that you impress us with your polar prowess. But if Italy has not yet turned up at the pole it is only because her soul has been groaning in bondage under the tyranny of the liberals, who were never able to understand that liberty means the freedom of the nation and not that of the nationals. Now that the Duce has liberated Italy's soul by locking up the souls of all Italians, and the bodies of a number of them, you wait and see how great things can be done in the grand style by a people which was brought up on wolf's milk."

That was the kind of mood in which the Nobile expedition was conceived. Before commenting on it further, let me add that cases of a similar — in fact of essentially the same — mood in the matter of Polar expeditions have also been known outside Italy. What is our objection to this attitude of mind? We are in the presence of a nation which puts considerable sums of money, the lives of some of its best men, and its expert ability at the service of a scientific cause. Why do we react with a critical attitude?

Because, though the immediate aim is of a scientific and world-wide interest, the ultimate aim is nationalistic, and therefore, the means, the methods, and the mood are also nationalistic. We find ourselves before a case in which higher purposes are made to serve as means toward purposes less high. And this inversion of our moral scale of values is immediately detected by our instinct. The tacit motto of the Nobile expedition was not *Ad majorem scientiæ gloriam*, but *Ad majorem Italiæ gloriam*. It is a case typical of our time. The growth of world-consciousness in a world still strongly nationalistic leads nations to exalt their own sense of nationalism by attempting, single-handed, enterprises of world import which, from their very nature, should be left to the coöperative efforts of the world community.

Do you now perceive the subtle family likeness between the Nobile expedition to the pole and the Kellogg adventure in international politics? The differences in environment, detail, surroundings, are of course considerable. But let us dive for essentials. Are they not substantially the same? Before I plunge, a warning. I do not wish to say or write anything which may be offensive. Before the American reader feels "touched," let him go back to what has been written on the Italian expedition and observe that he did not find it at all unfair to Italy. It is true that in his *sanctum sanctorum* — that secret place of his heart where he keeps his most sacred prejudices — the reader may treasure the unavowed belief that an American is superior to an Italian. He is entitled to his prejudice. And I respect it. I even think it may be useful in order to counterbalance the prejudice which the Italian no doubt treasures to the effect that he is superior to the American. All that kind of thing keeps the world going and there is not too much harm in it, provided prejudices — like dogs — are trained to behave. I have endeavored to keep my own dogs asleep while I wrote this article. May I ask the reader to keep an eye on his own while he reads it?

I was saying, then, that in its essentials, the mood of the Kellogg proposals and the mood of the Nobile expedition were the same. In each case a noble aim of world import, and in each case an entirely national and isolationistic attitude in attempting it. In polar discoveries, Italy did not want to combine her efforts in a collective and anonymous coöperation. Her airship was named "Italia"; her science was going to be Italian. In peace efforts, the United States has refused these ten years to pool her idealism in the only methodical and continuous effort toward peace building which the world has seen and can see. She prefers to keep her idealism uncontaminated and, like the old lady in *Punch*, thinks the League is very nice but too full of foreigners. So the proposal was made in utter disregard of previous efforts and of the experience acquired therefrom, and with a remarkable insistence on ideas and methods adopted *a priori* and *ne varietur*. When a round-table meeting was suggested to discuss the difficulties which were raised in some nations (some of these difficulties were imaginary or utterly foolish, it is

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true), the press correspondents, usually inspired in "well-informed quarters," were most emphatic as to the displeasure which such a suggestion would create in Washington. Other arguments made no difference; it had to be a simple formula. Outlawry of war. No modifications. No epithets. No exceptions. No reservations. Idealism and internationalism were asked to take their papers and sue for nationalization.

What are the facts? General Nobile sailed for the pole and discovered disaster. Secretary Kellogg went to outlaw war and signed a treaty. But in the process both met with the lady whom they had declined to look at — Coöperation. She is not shy. She does not stand on ceremony. She served them. General Nobile owes her his life, Secretary Kellogg his success. The Italian who wanted to hoist the Italian flag on the North Pole on the anniversary of the day when Italy entered the war had to find salvation in the flag of another nation. He was saved by an expedition led by a purely international and human inspiration. Several nations spontaneously sent men, money, and aircraft to rescue those who had proudly embarked on an expedition of national glorification. And though the nature of Mr. Kellogg's efforts was more complex and the effect of international coöperation less easy to perceive, the rhythm of the event was exactly the same. The Kellogg pact was saved from certain failure by international coöperation. The Secretary of State realized in the end that the formula which he had suggested could not meet the objections raised against it. He gradually modified his position until agreement was possible.

Within his theory of the place of war in human life, his initial position was quite logical. The aim was a kind of abjuration of war. The form of abjuration — an incantation, it has been called by one of its supporters in England — had therefore to be simple, unnegotiated, unexplained away. Hence the initial insistence on a kind of "all-or-nothing" which typifies the American proposal in its first phase. But the error consisted in not realizing that the idea was both bad psychology and bad politics. Bad psychology because the outlawry of crime has been a fact in all our national communities for centuries and centuries, and yet crime is with us a daily occurrence. An abjuration of crime merely drives criminal instincts to the subconscious, but it does not kill them off. Nor should we think of criminals only. The case most to the point is that of honest and peaceful men driven to crime by a sudden crisis of passion, fear, folly, or what not.

It was bad politics because the outlawry of war was and is an exclusively American idea, by which we do not mean — far from it — that it is *the* American idea. It is, we mean, an idea which happens to be produced and understood only in America. In point of fact, it arises out of a conjunction of two factors which are to be found exclusively in American public life. The first is the isolationist tendency inherent in the American tradition (and, perhaps, character) and reinforced by the anti-Wilson reaction; the second, the strong idealism of American cultivated centres (notably the women and the churches), whose pride suffered at the sight of the poor part which the United States was taking in the constructive efforts toward peace. For years Washington had been endeavoring to serve these two tendencies, in spite of the inherent contradiction which they imply. It is evident that if the trick of abolishing war could be achieved by a mere solemn abjuration made successively by all the "important" nations of the world, possibly on the same day and in the same place, America could remain at the same time isolated and idealistic. Thus it was that Mr. Kellogg proposed the pact outlawing war.

But the American peace balloon had no sooner left American shores than it met with two kinds of difficulties: from the idealistic point of view, the scheme to outlaw war needed some important adjustments; from the realistic point of view, several nations put forward pet schemes of their own which they found it necessary to safeguard.

True constructive idealism put forward the following argument. You cannot outlaw war without retaining the right of self-defense. If you remain the only authority to define when you are at war and when yours is a defensive war, you are outlawing nothing at all. All wars fought in the past have been fought as

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defensive wars. Thus "I renounce war as an instrument of national policy" does not mean any more than "I shall not use violence against other nations except when I choose to do so, or when I honestly believe — though I may be grotesquely mistaken — that I am fighting in self-defense, or to protect the goods and lives of my nationals, or to secure a privileged position for my commerce or navy or God knows what." Which, of course, can be much simplified by stopping at the first phrase: "I shall not fight except when I choose." Nor is it valid to argue that treaties presuppose good faith; for, to begin with, good faith requires machinery to administer it, and secondly, it is not merely good faith which is at stake but pigheadedness and prejudice. The conclusion of this order of criticism is that the Kellogg pact is not complete without some international machinery for defining and upholding the line beyond which signatory nations shall not go.

The realistic criticism came from several quarters. France, for instance, was nervous lest the pact cast any shadow on her right to defend the European *status quo* put by her under the wing of the League Covenant. England was anxious not to curtail her freedom of action in the numerous sensitive points of her far-flung Empire. Washington heard, therefore, the voice of sweet reasonableness reminding her that the United States also had *status quos* and "sensitive spots," and that it might be just as well if the pact were not in fact as simple and sweeping as the advocates of abjuration or incantation seemed to require. Thus the peace balloon was in danger. Two courses lay open. One was to listen to the idealists and build up a true substantial covenant, meaning a definite advance in the construction of the world community — a course which would have fatally led to a closer coöperation between America and the organized world community as at present constituted in the League. The other was to listen to the realists, poke holes in the abjuration, accept an explicit exception in favor of defensive war, while retaining for every nation the right to define it — admit the French reservations, admit the English reservations, and devote a tender thought to one's own reservations. The first course meant the sacrifice of isolationism; the second meant the sacrifice of idealism. The reader is entitled to form his own conclusions as to which course was chosen.

Here, all we need observe is that international coöperation had to be accepted in one form or another. A round-table discussion, which would have led logically to constructive proposals of permanent value, was brushed aside to please the isolationists. But some means had to be taken to coördinate the conversations. The means are known — speeches here and there, telegrams in the press, notes and counter-notes, and private diplomacy.

Thus the last feature in common between the Nobile expedition and the Kellogg pact is illustrated. Both started as isolated national enterprises, but both launched forth into fields essentially international and therefore both had to accept international coöperation. And since this coöperation came as an afterthought imposed on them by reality, and not as a virtue inherent in the initial inspiration of the enterprise, both obtained from it less brilliant results than they might have done had they conceived — and consequently executed — their enterprises in a true international spirit.

Needless to say, it would be grossly unfair to end on that note. National as the initial inspiration is, the aim is in both cases high-minded and noble. After all, the criterion of the world community which we have chosen in these pages is exacting and new. Were nations to seek as their only ambition the glory of discovering scientific truths in dangerous expeditions, or of knitting the nations of the world with peace pacts, who would complain? Our criticism was not directed to blaming the present but to building up the future by contrasting present ways with future standards. It would be as absurd to deny the scientific results of General Nobile's expedition as to ignore the political crop which will no doubt be gathered from the seed sown by Secretary Kellogg. As present-day enterprises, honor to both. And, to be irreproachably fair, honor particularly to that which succeeded. It may still better itself, if it be true that success breeds success.

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TOASTS

FOUR years ago this October, ANATOLE FRANCE died, leaving unpublished a work which THE FORUM is now privileged to bring to America. Calmann-Lévy, while preparing the definitive edition of France's work, happened upon "Rabelais" among his papers, and at once decided that it was well worthy of inclusion in the forthcoming set. Anatole France had a profound admiration for the great satirist of the Renaissance, whose acquaintance he first made, doubtless, in his father's bookshop. Two statues faced each other incongruously at his villa — one of Jeanne d'Arc and the other of François Rabelais. In 1909 he lectured on Rabelais in the Argentine, where the native club women were somewhat horrified by his choice of subject. The translation of his long-projected biography has been made by ERNEST BOYD, himself a distinguished critic of letters.

F. LYMAN WINDOLPH

USING a phrase which is commonly applied to the annals of the poor, F. LYMAN WINDOLPH says that his record is both "short and simple." He was educated at Franklin and Marshall College, in Lancaster, Pennsylvania, where he has practised law for many years. "During my term as an undergraduate," he writes, "Franklin and Marshall was strictly a classical college, and, since I studied law in the old way — that is, in the office of a preceptor — I came to the bar in 1911 with almost exactly the same training received by lawyers in the days of Daniel Webster. However, the analogy between him and me stops at this point." Mr. Windolph has written articles for numerous magazines, including the *Atlantic Monthly*, and has printed privately a book of poems.

WHAT would that model of sagacity, Benjamin Franklin, think of our present jury system? Speculation is vain, but at least we can hear from his lineal descendant, RUSSEL DUANE. One of Philadelphia's ablest lawyers, he is eminently qualified to offer an opinion. Senior partner of Duane, Morris and Heckscher, for a quarter of a century he has had exceptional opportunities to study the shortcomings of juries. He was, for example, senior counsel for the Philadelphia Rapid Transit Company in the trial of negligence cases, and has been counsel for other large community interests.

RUSSELL DUANE

HERE I am, dehydrated — the bare, dry facts," says ELISE JEAN JERARD, quite falsely. "She was born, twenty-six years ago, in New York City. She was 'finished' at Hunter College, and after being hatched from the academy she nibbled around the larger leaf with a variety of jobs. As you might judge, she has spent some time in the West. Her husband is her best pal — no, no, that is not what you say for THE FORUM; I mean he is an architect, an imaginative one. Her work has been published by magazines, including *Collier's*, *New Yorker*, *Pictorial Review*, *McCall's*. Feeling that there is no race suicide among novelists, she is practising 'book control'." Very noble, Miss Jerard, but they do say suppression is dangerous.

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TOASTS

ALREADY the author of *Clouds and Cobblestones*, HORTENSE FLEXNER will publish a second book of verse this fall. She has recently been teaching versification to aspiring poets at Bryn Mawr.

"I HAVE a small son, Peter," writes LYSBETH BOYD BORIE, "my passion for whom has inspired these poems. I am a splendid mother, but a wretched wife, as I refuse to sew the buttons on my husband's underclothes. Although I manage to snatch time for courses, my friends know me to be a normal 'low brow', for I crave John Gilbert's love making, dote on contract bridge, and continuously count my calories." Mrs. Borie, we may add, lives in Rydal, Pennsylvania, and is active in the Junior League. The first installment of her "Poems About Peter," which appeared in our April issue, inspired Lippincott to bring out a book of them, which will be illustrated by LISL HUMMEL, the young Viennese artist whose scissorcuts so aptly fit the poems.

LYSBETH BOYD BORIE AND HER SON, PETER

IN November, 1926, THE FORUM printed an interview with Thomas Edison, the gist of which is in the following sentence: "To-day the preponderance of probability very greatly favors belief in the immortality of the intelligence, or soul, of man." CLARENCE DARROW, our most outspoken agnostic, now states a quite contrary view.

DESPITE his familiarity with the shibboleths and mystic ritual of business, JOHN T. FLYNN is not one of the priests in the temple. "I like," he says, "to watch the game from the grandstand or, better still, the press box." Mr. Flynn was managing editor of the old *New York Globe*, and has written articles on business for *Collier's* and other magazines. He also syndicates a daily article about business to a large string of newspapers.

WE refuse to believe ROSE MACAULAY when she tells us that she has done nothing lately which would be of interest to anyone but herself. Perhaps, however, she is wooing the obscurity which, according to "Celebrities," is so distinguished. Unfortunately, she cannot escape the consequences of fame, for everyone knows that Rose Macaulay is the author of *Potterism*, *Told By an Idiot*, and sundry other novels so witty and satirical that they have made her contemporaries squirm. Her latest book is *Daisy and Daphne*. Miss Macaulay was educated at Oxford and now lives in London, where she indulges in the "usual London amusements."

YOU ask when I first became especially interested in the question of divorce," writes JOHN HAYNES HOLMES, minister of the Community Church in New York. "I think it was when I was a very small boy and a certain member of our straight-laced Puritan family got a divorce, to the vast scandal of fathers and mothers, sisters, cousins, and aunts. I did not know then why it was so scandalous and wicked, and I have never found out." According to Dr. Holmes, he finds it hard to realize that he has been a minister in New York for over twenty-one years, and is therefore a veteran among the city's clergymen. He is the editor of *Unity*, a religious weekly, and is the author of numerous books. There is no telling, he says, when he may write more, or "work some other havoc elsewhere."

WE are pleased to reproduce the work of HENRY J. GLINTENKAMP, a native artist who actually believes that America offers better artistic material than the old world. And Mr. Glintenkamp should know, for he has tramped through most of Western Europe on foot.

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THE indefatigable ANDRÉ MAUROIS, who is in process of creating an imposing gallery of portraits, writes us that he is about to start his life of Byron, for which he has been gathering material over a period of years. He has also completed a novel which in English will probably be called *Whatever Gods May Be*. The author of *Disraeli* has just received an honorary degree from the University of Edinburgh.

D. F. FRASER-HARRIS

THE English scientist, D. F. FRASER-HARRIS, who recently initiated our readers into the mysteries of sleep, now introduces them to the greater mysteries of dreams. He himself, however, has had little time for idle dreams. Educated at Edinburgh and Glasgow, for thirty-four years he has taught physiology in various British universities and has diligently pursued his other interests — "literary, artistic, and antiquarian." As a holiday occupation, he once wrote an authoritative history of the development of music in Scotland, and he is also the author of numerous scientific books. He edits the Modern Health Series, and is about to publish several volumes of his essays.

ALTHOUGH his name is a byword in every American home, HENRY FORD remains something of an enigma to his countrymen. In an effort to clarify the situation, THE FORUM is publishing a series of four authorized interviews with the great industrialist in which he explains his views of industry and his philosophy of life. Two were published in March and April and the fourth will appear next month. In this issue he discusses "Success," for which he seems to possess a magic formula. The interviews were given to FAY LEONE FAUROTE, a specialist in automotive engineering and a contributor to numerous periodicals. Reproduced on this page is an inscription, written by Mr. Ford, which is carved in the stone above the doorway of the Ford laboratories at Dearborn.

CARL SANDBURG, "who could digest savory slabs of the sunburnt West," is the Walt Whitman of this generation.

HENRY FORD'S INSCRIPTION OVER HIS DEARBORN LABORATORIES

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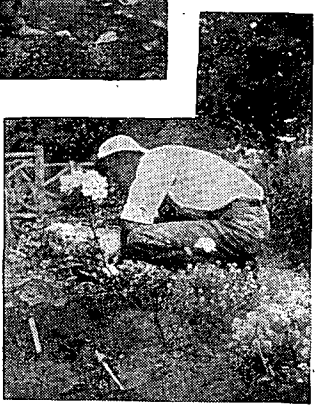
LIKE Conrad, with whom he has often been compared, WILLIAM MCFEE is a seaman who has turned writer. His father was an English sea captain and he himself has cruised the seven seas in the capacity of engineer. Most of his early books, such as *Aliens* and *Casuals of the Sea*, were written in the narrow cabins allotted him aboard ship. Mr. McFee, who has been living in America since the war, spent the summer in England — "the land of my early years and tears and beers." He writes us that he is publishing this fall a *Life of Sir Martin Frobisher*, a novel, *Pilgrims of Adversity*, and a book of verse with an autobiographical foreword by the author. His article has been illustrated by HOWARD COOK of Springfield, Mass., whose clever drawings and woodcuts have frequently appeared in THE FORUM. He also illustrated "The Second Egg" in this issue.

WE learn from JOHN BAKELESS, editor of the *Living Age*, that he spent the first eight years of his life in the Carlisle Indian School, where his father was in charge of academic work. "I am told by satiric friends," he says, "that the effects have never worn off. I hope not, for I like Indians still." Mr. Bakeless, who was formerly managing editor of THE FORUM, has had a varied career on newspapers and magazines. Three breathless years of cub reporting lay behind him when he went to Williams in 1914, where he edited every college newspaper upon which he could lay his hands. His first book, *The Economic Causes of War*, was written during a period of graduate study at Harvard. Then, having mastered first causes, he passed to prophecy in *The Origin of the Next War*. Quite frankly he confesses he is "the clumsiest and most enthusiastic fisherman in North America."

THESE pictures show the Pedestrian pursuing weeds. He is not to be confused, however, with WALTER S. HINCHMAN, the medium through whom he speaks, who teaches English in Milton Academy and has minor interests in geography, astronomy, history, and sport. The one studied at Haverford, Harvard, and Berlin; the other learned from curiosity and travel afoot. Mr. Hinchman, in whom his double always confides, tells us that Houghton Mifflin is bringing out *Pedestrian Papers* this autumn — a collection of thirty of the Footpath and Highway series. He also betrayed the secret that the book will be dedicated to the Editor of THE FORUM. As for Mr. Hinchman himself, most of our readers know him as the former poetry editor of THE FORUM. He is, moreover, the author of *William of Normandy* and of various textbooks, written behind the Pedestrian's back.



THE PEDESTRIAN REVEALED AS A MANUSTRIAN IN HIS GARDEN

ANOTHER case of dual personality! The author of "The Cheerful Liar," who insists that he is "shy as a gazelle," took to himself a pen name eight years ago. HENDY ADDIS was first created to run a daily column on a Texas newspaper, and now appears in the rôle of a story writer. The anonymous gentleman who is y-clept "Hendy Addis" was born on a Kansas farm and educated near Philadelphia. His experiences in newspaper work and publicity have apparently not affected his retiring disposition.

IF anyone could clarify the confusion of Our Muddling World, it would be SALVADOR DE MADARIAGA. Professor of Spanish studies at Oxford and an official of the League of Nations, Madariaga will publish a book on disarmament this fall and a book on Spain in the spring. As usual, he spent the summer at Geneva.

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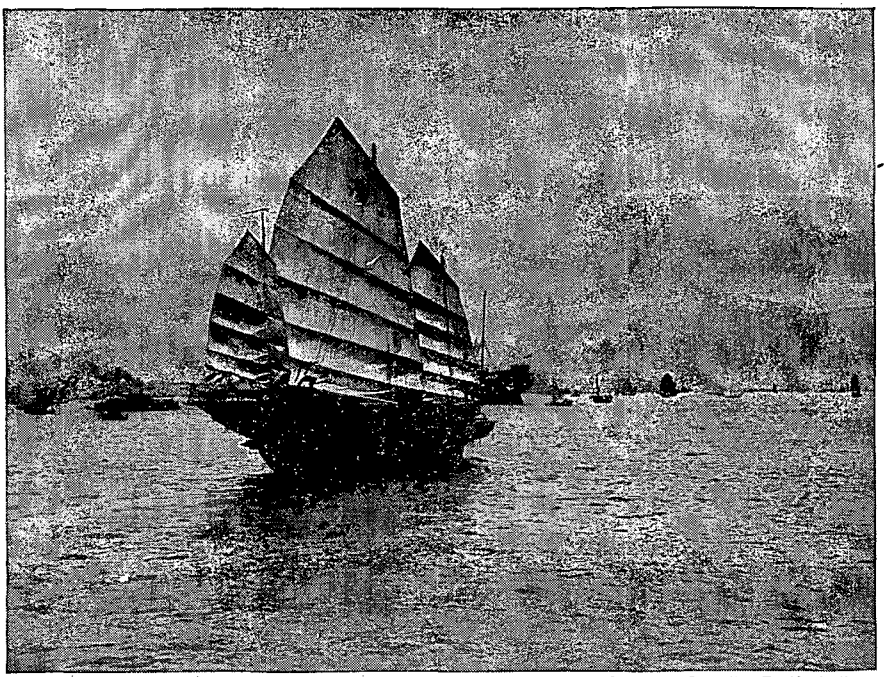

Courtesy, Canadian Pacific Railway

Chinese Junk, Hong Kong Harbor

Hybrid Hong Kong

WALTER HAVIGHURST

THE Scorpion was high overhead as we steamed into the dark entrance of Hong Kong Bay. On either side of that narrow entrance sombre cliffs loomed gigantic against the starlit sky. In the darkness these walls looked vast and portentous, as though the Pillars of Hercules had crowded together with barely enough water to permit the passing of ships into the sheltered bay. A Chinese seaman standing beside me on the stern half-deck pointed in the direction of a mass of rock crowned by a single flashing light, and said impassively, "Ly-e-mum."

Inside the granite gateway the bay soon widened out and there were shadowy forms of many harbor craft. Here and there across the water were the larger outlines of unmoving ships — steamers riding with anchor lights that made bright pools in the dark water below. Beyond were circling shores — irregular, precipitous, vague in the night, with their blackness broken occasionally by dim lights, singly or in clusters. A seeming stretch of open water widened between two dim shores, and looking in that vague direction, the Chinese spoke in the same impassive voice, "Tai-wan."

We crept up close to a looming island and entered another narrows with a black hillside slipping silently past, and then the noise of the steamer's wake churning the rocky shore. Shortly beyond there came a larger open space of water and in the distance a flood of lights all glimmering in the black and shiny bay. To one side lights ran well into the sky, terrace on terrace of them like a pyramid, with a single light, like a stranded planet, crowning all the rest. This time my companion pointed with eagerness and spoke with a show of delight — "Hong Kong."

It hardly seemed a city — that pyramid of lights all winking in the midnight wind. Through half-closed eyes it looked more

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like a tray of gutting candles before a saint, in some draughty Irish chapel. We crept in closer to those lights, past innumerable harbor craft, and then swung round to the opposite shore and warped slowly into a slip. For a time there was the confusion of the docks — heaving lines thrown ashore, hawsers run out to the spiles, the shrieking and groaning of winches that were caked with the salt of the China Sea. Then gangways let down, cargo lights flooding the hatches, and all was quiet again.

Across the waters were the moving shadows of sampans bound on weird nightly errands. Occasionally a grotesque junk sailed noiselessly by. Across the bay that unchanging pyramid of lights, and overhead the changing stars. As I watched, the Virgin went striding over the pyramid, and the Scorpion became confused with the high lights on its peak before I turned away.

By morning the pyramid of lights had become an equally impressive and more substantial pyramid of earth. The tray of candles had become a mountain with its base in blue waters and its peak well into a blue sky. The mountain, in its turn, became a city, and a city as diversified as its altitudes. Impressive buildings lined the waterfront. A maze of colorless roofs stretched behind them and climbed the lower slopes of the ample hillside. Parks and gardens and splendid buildings covered the upper areas of the mountain and seemed to keep a lordly aloofness from the maze of roofs below.

Hong Kong is a city of terraces and a city of degrees. The terraces make plain the degrees. There may be as much diversity of luxury and want in Tokyo or London as in this island city. But it is more apparent in Hong Kong, for the entire city is on view to one who regards it from the harbor. From the waters of the bay to the topmost point of the Peak the city lies spread upon its hillside. In Hong Kong the entire social pyramid is presented as vividly as the pyramid of the mountain. And the social scheme conforms to the physical — the lowest of human beings occupying the bottom of the pyramid. These lowest are the strange nomadic harbor population. The highest are the Europeans who live in opulence upon the upper regions of the Peak.

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It is said that there are more than fifty thousand of the nomadic boat people who spend their lives in foul junks or leaky sampans, floating about the broad waters of Hong Kong Bay or up the populous Pearl River to Canton, picking up a precarious living from the tides. Many of them are engaged in a humble commerce. They carry on much of the trade of Canton, for they can penetrate into every hidden corner of the city by means of the foul, narrow, evil-smelling canals. But they are as leisurely as an Arctic dawn and the trip from Kowloon may occupy them a whole season. Ulysses with his ten years' voyage to Ithaca was on quite a breathless schedule compared to that of the junks which drift idly up and down the kaleidoscopic Pearl River. One reason for this dawdling may be that the women are the sole navigators while the men seem to be concerned with less strenuous things.

But there are many, also, of these harbor craft whose only trade is mendicancy. Thousands of this boat population do not set foot on shore from one year to the next, but eke out their existence by beggary and salvage. Long before an incoming steamer is warped into the dock it will be surrounded by these vagrant sampans, and long poles with nets will be reached toward the promenade deck for the first charity of passengers. Other poles will have brought their nets in eagerly laden — not with coins — but with refuse from the ship's kitchens. There is little refuse in Hong Kong.

Here there are no harbor rules against the throwing of dunnage into the bay. The scraps of wood that litter the decks of cargo ships can be thrown overboard without fouling the harbor, for when the first pieces strike the water the sampans gather round this rain of dunnage like vultures gathering at the scent of carrion. Wood is precious in southern China. It is not sold by the cord but in little fagots in the markets. And these are used sparingly in the charcoal urns that faintly temper the chill of winter nights.

The lower slope of the mountain is a maze of streets and a chaos of buildings which represent the native city. A few broad streets lined with imposing buildings lead from the waterfront to this bewildering chaos. At the intersections of these streets are gigantic Sikh policemen,

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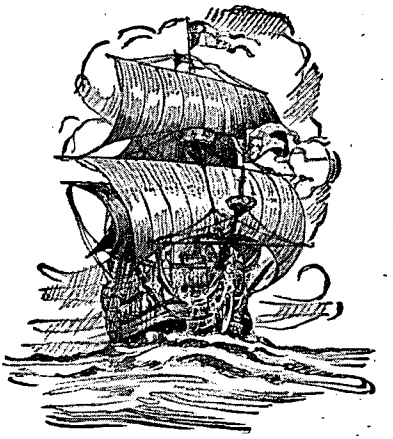
impressively bearded and turbaned, controlling the traffic. These police have been imported by Britain, for they have a saying that Chinese cannot control Chinese.

The native city itself has little semblance of order or design. From the few main streets that lead decisively through this bewildering region, one is confronted with a labyrinth of lanes and alleys and narrow courts between high walls. Everywhere there are great banners emblazoned with strange hieroglyphs. Chesterton says that to one who could not read, Times Square would seem a veritable fairyland, flashing a changing magic against the sky. So these tortuous lanes of China seem to an innocent — streamers ablaze with grotesque figures, windows charmed with the fantasy of mysterious ideographs, streets made magic with these weird word signs of the East. Perhaps they advertise something as commonplace as cigarettes or as homely as suspenders. But to the unknowing these strange emblems are more full of strange magic than the ancient hieroglyphs of the pyramids or the picture writing on the canyons of New Mexico.

The upper slopes of the mountain are in extreme contrast to the weird, chaotic city below. This is the upper strata of the social pyramid, as well, and there are no beggars creeping out of dark alleys. Here are no alleys at all, but broad avenues and shaded drives. Extensive gardens are laid out just below the Peak, and schools and churches and pretentious homes line the avenues. This is the European city, and from their elevation the Westerners look upon the maze of roofs below them and across the glorious expanse of Hong Kong Harbor to the rugged mountains beyond. From here one understands the significance of the name, for Hong Kong is Chinese for "Fair Harbor."

The Peak itself commands a vast panorama of bays and estuaries washing mountainous shores. There is sunshine here, and the silence of blue sky. But as one looks down upon that maze of streets of the ancient city, there comes floating lazily up to him the noise of that teeming congestion. It is almost like an echo, this faint voice of a city rising to the sky. It is the voice of toil and confusion and hunger and distress. But from the Peak it sounds like a lingering sigh, so do the



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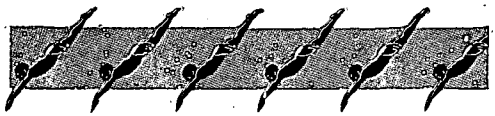

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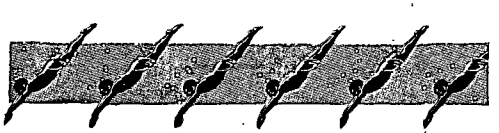

heavens compose the strife and tumult. And Hong Kong always presents that strange combination of the East, where grace and bitterness go hand in hand.

Thomas Burke describes his bitter and enchanted Limehouse as the place where China has settled on the coast of London. At Hong Kong this circumstance has been reversed and London has settled — rather more forcibly, if the truth be told — upon the coast of China. This settlement, too, has been without the grace and witchery which the little yellow people have imparted to that forlorn region of dark streets by the Thames.

The impassive colony from Canton have brightened a little section of East London with their grotesque hieroglyphs. They have mingled the low music of their speech with the roar of traffic that flows from the East India Docks. Their weird word signs have written with magic a few blocks of staring windows, and their dusky lanterns have cast a lingering grace upon the midnights of the Causeway. The British, in their turn, have brought some Western opulence to the steep Hong Kong hillside. They have laid out their English gardens on the Peak and built mansions to look down upon the bewildering maze of the native city. They have built Gothic churches to vie with the ancient pagodas of Canton. They have lined the waterfront with business houses that would shame the dingy blocks of Liverpool, and across the harbor at Kowloon they have built docks as spacious as any on the Thames.

The two names by which it goes are something of a symbol of this contest between the East and West and they indicate the present standing. Victoria is the name given by the British to their distant island city. Hong Kong is the Chinese name for the island on which the city is built. But Victoria is only a name on the map, while the city is known in every seaport of the world as Hong Kong.

An oriental city will not answer to a Western name, and the world has objected to that christening and called this British outpost by a name of its own. And what a name! All the music of the East is in its lingering syllables — the singsong melody of that ancient speech, the sound of distant temple bells, the whisper of palm trees in the wind.

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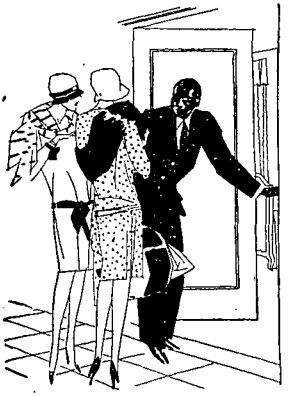

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Poland the Ancient and Modern

Christmas has its Santa Claus and Michaelmas its daisies, but Dame Rumour grows very prejudiced when she contemplates Poland. Shall we be content to imagine that vast packs of wolves and bears roam through the land, or shall we review the history of this great country which resumed nationhood in 1919 . . . more than 150 years since Stanilaus Poniatowski left it? Poland, the home of Kossack, the barrier of the Turks . . . who bestowed Chopin, Paderewski and many more. Far from being a barren waste, Poland has become the newest field for the American tourist. Warsaw with its Lazienki, Wilanow and Belvedere palaces and great streets like the Marszalkowska and Ujaczdowska, teems with interest. Cracow, Catowice and Lwow are centers of ancient culture and history. Poland is quite the unknown among tourist-lands, but great is the reward of the traveler who crosses her threshold.

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Bertolini's Hotel, Naples. You swerve up the mountain side in your car as high as you can go and walk through a tunnel which brings you to an elevator. Another ascent of a hundred feet or so and you are in Bertolini's, one of the best known hotels in Naples. The spell of Naples surely comes when you dine on the romantic veranda which surrounds the hotel. There, in the distance, Vesuvius, Sorrento and Capri . . . and in the Salon, the finest of cucina with Neapolitan music of divine sweetness. One evening in this atmosphere, aver some travelers, and you are addicted to Naples.

Vaya a Espana

Spain all the way to Spain. You step right across the frontier when you step aboard—this is the latest tale now being unfolded to the traveler. This Spain, with its flashing senoritas, life and gaiety . . . with its history carven in stone for all to enjoy. There are the erratic wanderings of Don Juan to follow . . . Philip's great dream . . . the Escorial. It is the Spain which Velasquez, Sorolla, El Greco, put so indelibly and vividly on the canvas. Vaya a Espana. . . . Let's go.

What Is Travel?

A potpourri of Cathedrals, abbeys and castles? Lands which are off the beaten track? Temples permeated with incense, following the track of this, that or the other? Yes, and more. Travel now means Crepes de Suzette, Yorkshire pudding, Devonshire strawberries. Caviar such as Turgenieff would appreciate . . . direct from Astrakhan . . . its tender, large gray eggs as delicate as the bloom on a peach. Caviar, the aristocrat, insists upon classification . . . Ossietre, etc. Asparagus, duckling, quail and melons too, are now taking their place in the plot to tempt travelers away from home.

Americana in England

The fertile lowlands of Norfolk are famous; first for their beauty, secondly for their quaint villages. One of these, Hingham, is a typical English hamlet with little cottages grouped around a broad green—suggesting merry Morris dancers, and a picturesque church rising in the rear. Few who pass the cottages and the church reflect that it was from these surroundings whence came the ancestors of our great president, Abraham Lincoln. In Hingham, Norfolk, in 1543, died one, Robert Lincoln. His grandson, Samuel, settled in Hingham, Mass., in 1637.

Tropic Time

Florida is stirring again, for the summer is leaving the north. California is opening her portals. Those other equally hospitable shores, Bermuda and Hawaii, though farther away, are also making preparations to receive the refugees from winter. Warm winds caress the fronds of the palms, waves are rarely too wild for bathing, nor the waters too chill . . . there is laughter, contentment and rest.

Modern Marco Polos

We are accustomed to think of Drake and Magellan as circumnavigators. Perhaps it is because the name smacks of the fifteenth century, or suggests a medieval era when half-pint boats pushed their snub noses across the uncharted seas. To-day it is go-one, go-all, and their name, world wanderers. And very simple and inexpensive too. You merely buy your tickets and then get yourself ready to be entertained. All your time for pleasure, no languages, connections or transfers. Siam in the court season, or an idyllic Sunday morning in the Pacific—whoa, the lid will be off in a minute. Five hundred years will make mountains move and oceans open, for nothing will stop the world wanderers.

Japan Again

Unroll the map of the world. Pick out Asia and just off the most easterly portion will be found Nippon. A garden god dwells on the isle of the rising sun. And there across the landscape, just as Hokusai would picture, rises a temple, with carvings red and gold . . . with praying bronzes, clad in Shinto white and pale Asagi blue. Japan—for that is the Western name for Nippon—Japan, in blossom time, is a colorful feast of flowers. Japan, with the geishas, fiery gods and an unbroken line of kings for more than two thousand years.

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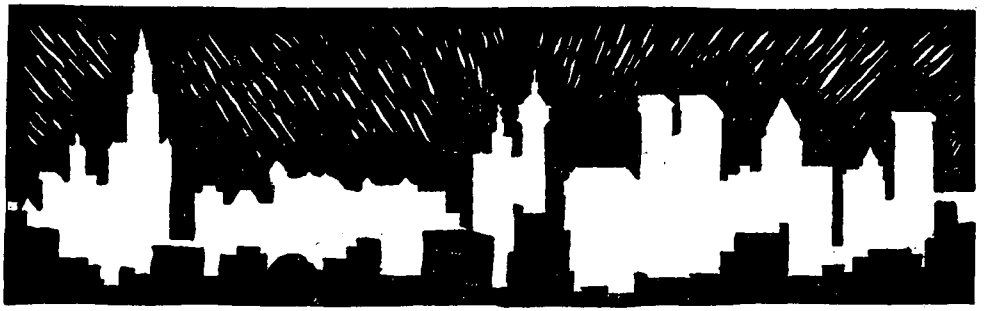

Downtown

CHARLES F. SPEARE

Stocks of Banks, Insurance Companies, and Investment Trusts

A SIGNIFICANT phenomenon in this year's movements in securities has been the active participation by the public in stocks of banks and trust companies, of fire insurance companies, and of investment trusts.

Of these the first — namely, bank and trust company shares — have always been regarded as the aristocrats of the investment world. Generally they have been held by well-to-do investors and not very widely distributed. The element of shareholder's liability in the event of bank losses has discredited bank stocks among a considerable element who do not wish to assume any risks other than those involved in the cycles of business. Underlying the new attitude toward bank and trust company shares and the widespread speculation in them in the twelve months ending the middle of June was a realization, for the first time, that banking institutions make profits in more ways than in lending money to their regular borrowers; in other words, they are holders of securities. When securities advance as they have in the past few years the earnings of the banks expand rapidly. So in this situation we see a phase which is common to all speculative periods and which reflects pyramiding of different levels of profits.

The outburst of popular interest in the stocks of fire insurance companies preceded that in bank and trust company issues and came to a head earlier. Here again we find a class of securities with which the public had never had a strong identity. The hazards of insurance are many; the graph of earnings from year to year show sharp ups and downs in the returns from underwriting. But the insurance companies not only deal with the risks of fire, accident, and various modern liabilities; they are among the largest investors in corporation stocks and bonds of any of our institutions. As their holdings of good common stocks and of various grades of bonds have been appreciating rapidly, the profits which they have from time to time taken in the sale of these securities permitted them to pay larger dividends and to build up their surplus. Finally, the book value of their stocks was so great that the public became enamored and for the first time insurance company shares were features of the daily trading on the New York Stock Exchange.

PUBLIC CONCERN REVIVED

Linked with the popularity of the stocks of these two groups was a revival of interest during the first half of the year in the securities of investment trusts following the slump in the demand for them that came about as a result of some unfortunate episodes in investment trust stock distribution last winter. The arithmetic of this situation was simple. Investment trusts held various classes of corporation stocks and bonds. Stocks and bonds were selling at the highest averages ever known. The trusts were also known to have in-

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vested freely in the stocks of banks and insurance companies, which, in turn, owned other stocks that were rising. So the holdings of the investment trusts were not only yielding them a higher rate of return than the cost of the money borrowed to pay for these stocks, but they were selling at prices that meant good profits if taken. The same thing applied to the shares of the fire insurance companies which, at that time, might also have been found in the portfolios of the investment trusts.

One might argue that this interrelationship in investments and this pyramiding of a sort would end disastrously should there be a prolonged and violent decline in the prices of securities. It did lead to a near-panic in one instance, where the public had lost all sense of values and had concentrated on one situation. The saving element, however, has been the limitation of the investments of all three of the institutional groups described to sound securities and to relatively small units of individual stocks or bonds. The principle of diversity in investment has been more strongly established than ever through market incidents of the last few months.

Spectacular Interest in Bank Stocks

Of all the movements in this group of securities those in bank and trust company stocks have been the most spectacular and deserve greatest attention. There is no class of securities that has sold this year at such a high average price, or produced such a low average return on capital invested, or shown such a large percentage of appreciation in market value. For a time the public simply went crazy on bank stocks, not only those of New York, but of Chicago, San Francisco, New Orleans, Boston, and of most of the larger cities. To the fact of profits or appreciation in their securities account as a bull argument was added consolidations, actual or rumored, which infected investors all over the country with a speculative fever that did not burn out until the collapse in the price of Bank of Italy stock and in that of its subsidiary, the Bancitaly Corporation. This was one of the remarkable phases of a situation unparalleled in American financial history and in which a section of our foreign population made loyalty to and faith in one of their countrymen the basis of a speculation involving hundreds of millions of dollars. Remarkable, too, was the persistency with which the shares of the two institutions were purchased contrary to the advice of the management; and equally so was the underlying strength shown by these affiliated companies in the face of such a shock to their securities. The latest report of the bank showed resources of $804,675,000, deposits of $667,000,000 and an army of 1,347,000 depositors, while the investment corporation classified $250,000,000 of securities owned on July 19th.

Appreciation and its Causes

Bank and trust company shares had, until this year, been purchased on a cash basis. They were considered by the investor to be the choicest of all the securities in his safe deposit vault. Connecticut, Rhode Island, and New Hampshire regarded the stocks of New York banks and trust companies so highly that they made them legal for the investment of the funds of their savings banks. Prices of these institutional stocks, however, had risen so high and the income return had dropped so low that savings banks paying four per cent interest could no longer afford to buy them, and for years the motive of the individual investor in the purchase of bank stocks has been that of added principal rather than added income. The recapitalization of banks has been an incident in their growth, bringing tremendous profits to holders of bank stocks all over the country. It was recently shown that the individual who, in 1903, had subscribed for ten shares of the original stock of a trust company in New York City, at $150 a share, and who had participated in all of the new stock offered him during a quarter of a century, would to-day own sixty-four shares in this institution worth $67,000, and in addition would have received substantial annual dividends. Another illustration is that of the purchase in 1918 of one hundred shares of each of ten different New York banks and trust companies at an original cost of $567,000. These same stocks ten years later were worth over $2,000,000, and to this figure could have been added a twenty per cent increase if the comparison had been made with prices last May. In this connection it is pointed out that the same capital invested in bonds of leading American

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corporations ten years ago would have shown an appreciation of less than $90,000.

Prices of bank stocks were carried to inordinate heights under public buying on margin. Few, indeed, of the speculative industrial stocks outdid them in percentage of increase of market value, which was much in excess of the recognized legitimate ratio of earnings to price. Many rose fifty per cent, a few over one hundred per cent, and some two hundred and three hundred per cent. The stock of one bank absorbed by a new group rose over $1000 a share with daily transactions of 5000 shares; and another stock affiliated with this same group advanced $1750 a share. The price of the stock of one of the oldest and strongest banks in New York went to $4800 a share and it was even rumored that it was to be merged with another leading bank — a procedure about as probable as an amalgamation of the Presbyterians and the Methodists. The stock of a Pittsburgh company reached $13,000 a share. Book values could not keep pace with market values. Finally they became so much out of balance that speculative holders of bank stocks, as well as those who had bought them never to sell again, became alarmed and flooded the market with their holdings. Between the middle of May and the early part of August this group of stocks declined an average of over twenty per cent, with individual losses ranging from thirty to forty per cent, and in two instances, to over fifty per cent.

The average decline in twenty-five bank and trust company stocks was nearly identical with that in a similiar number of listed industrial stocks. This was more of a coincidence than an exact response in the prices of bank stocks to a fall in the stocks which the banks owned and whose earlier advances had made them advance. The decline in several listed insurance stocks averaged about twenty-five per cent.

Causes of Speculation

The tendency that had caused speculation in banking shares was that of combination. This is a natural one and one that is on the increase; for there is no doubt that sections of the country have been overbanked. To illustrate, in the last five years there has been a decrease of 3000 in the number of banks in operation. In 1926 there were 958 bank failures, in 1927, about 660, and so far this year, 500. It is more and more difficult to obtain bank charters. In the fire insurance business the development associated with movements in insurance stocks was that of expansion, or the forming of new underwriting companies. It was estimated that within twelve months $150,000,000 of capital had gone into new undertakings of this sort and that the promotion of the securities of these young companies was stimulated by the huge profits that the older concerns had made and were making — not in their regular trade of writing insurance, but in buying stocks when they were low and selling them when they were high. To impress on the prospective purchaser of these new insurance company shares the happy future facing them, he was shown a list of securities which were expected to appreciate but which, as it turned out in not a few cases, were bought at the crest of the market and probably about the time when some of the older companies were selling, and which to-day have a tendency to subtract from, rather than add to, the surplus account on the balance sheet.

Investment Trust Shares

With the investment trust and their shares, the conditions have been somewhat different from those in the banking and insurance groups. The mathematicians of the market place did their best job when they worked out the probable values of some of the prominent investment trust shares on a basis of maximum earnings in the next five or ten years. Some of their conclusions were so fantastic that the managers of a few of the investment trusts were compelled to warn the public quietly, as fire insurance presidents had done openly, that there was an improper relation between book values and market values. Eventually this corrected an abnormal state of affairs. However, investment trusts took advantage of the popularity of their securities and of the low borrowing rates of the time and forced into the investment market as large a supply of debenture bonds and preferred and common stocks as it would stand — more than should have been issued, as subsequent declines of large proportions in these securities indicated. Contrary to popular impressions, investment trusts

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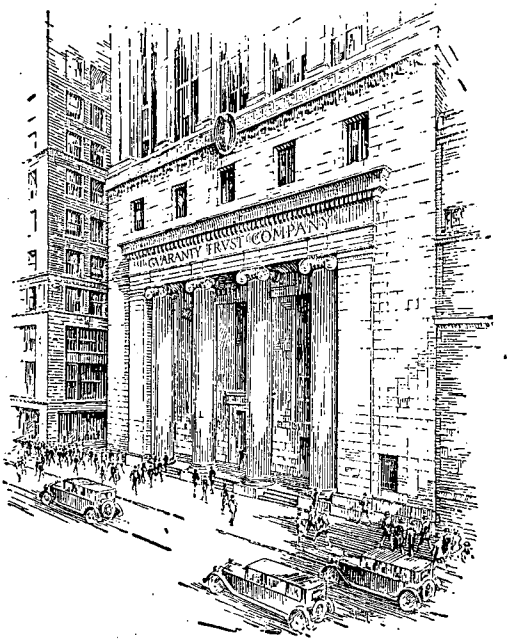

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had not been very large buyers of corporation stocks in the nine months prior to the June break, though they had been instrumental in bidding up the prices of bank and trust company stocks. One flagrant abuse of the confidence of the public was committed by a New Jersey corporation that purchased the controlling interest in a group of banks and placed it in a holding company whose shares were widely sold at prices that made the original bank stocks stand at absurd figures. The sequel of this is a suit to recover from the officers of the company moneys alleged to have been wrongfully received.

The real cause of the reaction in investment trust shares, which came when all other securities declined, was the sudden retirement of a public that had been severely chastised in Wall Street, not losses on the securities which these trusts held. This was confirmed by the fact that they have recently been lending $250,000,000 in the call money market, which represents a considerable percentage of their borrowings from the public last spring. These funds will eventually go into securities when prices are more satisfactory than at present to those who make long term investments.

The Soundness of the Country's Banks

The latest reports of state banks and national banks of the country give the numbers as 18,965 and 7691 respectively, with resources of the one about $42,000,000,000, and of the other, $28,500,000,000. This aggregation of capital is greater to-day than ever before. It grows from year to year. At the same time banking methods and policies become more elastic and more diversified. The profits of banks and trust companies do not show the same ups and downs that they did a decade or two ago. In spite of the increase in unremunerative services which the banking institution of to-day is rendering and did not render before the war, it has been able to add to its income through an expansion in profitable fields of banking and in the use of its surplus capital in the market for securities, in underwritings and in loans to Wall Street brokers when the rate on such loans exceeds commercial rates and that on securities. The fiscal agencies and trusteeships growing out of a large number of new domestic and foreign stock and bond issues have brought substantial additions to earnings, while the development of the trust branch of modern banking has meant an important item in the annual income of many trust companies and national and state banks.

Influence of the Money Rate

As the pendulum of interest rates moves backward and forward, a banking institution centers its activities on those branches of its business most influenced at the time by the money rate. With business throughout the country active and interest rates accordingly firm, its commercial loans are likely to assume the greatest prominence in its day-to-day affairs. When business is dull, or when, for some other reason, such as an excess of gold or of foreign balances, interest rates are low, a bank may find its largest profits in the underwriting of securities directly or through a subsidiary, or in the purchase of bonds and stocks to hold for income or for temporary profit.

It is obvious that in the adjustment of these two conditions careful management must come into play, for when there is a demand for money to finance business this demand comes into competition with that to finance securities. Moreover, when money is cheap and banks cannot employ their surplus funds to advantage among their regular borrowers, then they are tempted to buy securities at rather high prices and obtain from them the larger income that they produce. Not infrequently they are compelled to sell these securities to obtain funds to accommodate their regular clients at a time when prices of securities are declining.

Speculation in bank shares, as in others of fiduciary character, is always unfortunate. It tends to disturb the holders of the stocks of these institutions as well as their depositors. It is sometimes accompanied by efforts to wrest control from a management that may be conservative and replace it by one that is speculative in its policies. It is fortunate, therefore, that in this year's excitement over securities of all degrees of merit, nothing has occurred to shake the confidence of the public in those institutions that are largely responsible for keeping the credit of the country on an even keel.

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